

La loi 28 devant la Cour suprême de la C.-B.

DES enseignants du postsecondaire de la Colombie-Britannique poursuivent leur lutte contre le controversé projet de loi 28 devant la Cour suprême de la province.

Lors d'une conférence de presse le 3 avril, des représentants de la College Institute Educators' Association of B.C. et du B.C. Government and Service Employees' Union ont déclaré que la *Public Education Flexibility and Choice Act* contrevenait à la *Charte des droits et libertés* parce qu'elle confère aux directeurs de collèges le droit de passer outre aux conventions collectives qui ont été négociées de bonne foi.

« Les professeurs des collèges, des collèges universitaires, des instituts et des organismes sont bouleversés et consternés du fait que le gouvernement tente d'annuler les contrats de travail au moyen du projet de loi 28 », a déclaré la présidente de la CIEA, Maureen Shaw. « Nous sommes offensés que le gouvernement se croie au-dessus de la loi, et nous sommes outrés que le gouvernement agisse sans tenir compte des lois régissant le travail et les relations de travail et qui existent depuis longtemps dans la province. »

Le projet de loi 28, étudié à toute vitesse à l'assemblée législative au début de l'année, autorise les administrateurs de collège à supplanter les dispositions des conventions collectives qui limitent le nombre d'étudiants par classe et régit le recours à l'enseignement en ligne ou à distance.

Dans leur déclaration, les syndicats soutiennent que le projet de loi 28 est inconstitutionnel parce qu'il contrevient à la primauté du droit et à la *Charte*. Selon eux, la loi enfreint les garanties de la liberté d'expression et d'association en révoquant le droit des enseignants à négocier collectivement sur des enjeux importants.

« Le projet de loi abandonne d'importantes normes de protection de la qualité de l'enseignement postsecondaire et rejette des mécanismes établis de longue date pour conclure des conventions collectives justes », a affirmé George Heyman, président du BCGEU. « Nous estimons que la Cour suprême conviendra que le gouvernement a agi très sévèrement et de manière antidémocratique et qu'il viole des droits fondamentaux. »

Voir LA LOI 28 à la page A9

CIEA Launches Charter Challenge



April 3 — CIEA president Maureen Shaw & CAUT executive director Jim Turk announce next step in fight against Bill 28.

POST-SECONDARY educators in British Columbia are taking their fight against the provincial government's controversial Bill 28 to the B.C. Supreme Court. At a news conference on April 3, representatives of the College Institute Educators' Association of B.C. and the B.C. Government and Service Employees' Union charged the Public Education Flexibility and Choice Act violates the Charter of Rights and Freedoms because it gives college presidents the right to ignore collective agreements which were negotiated in good faith.

“Faculty in B.C.’s colleges, university colleges, institutes and agencies are shocked and appalled at the government’s attempt to break contracts through Bill 28,” said CIEA president Maureen Shaw. “We are offended that government believes itself to be above the law, and we are outraged the government has acted without regard for the long-standing labour relations laws and relationships in this province.”

Bill 28 was rushed through the provincial legislature earlier this year and gives college administrators the right to override provisions in current collective agreements that limit class sizes and govern the use of on-line courses or distance learning.

In their statement of claim, the unions argue Bill 28 is unconstitutional because it contravenes both the rule of law and the Charter. They say the legislation violates guarantees of freedom of expression and association by revoking the rights of educators to bargain collectively on key issues.

“This bill discards important standards that protect the quality of post-secondary education, and casts

aside long-standing processes for reaching fair collective agreements,” said BCGEU president George Heyman. “We believe the Supreme Court will agree that this government has acted in a heavy-handed and anti-democratic manner that violates basic rights.”

Jim Turk, executive director of CAUT, says the association will be seeking intervenor status in the charter challenge because of the national implications of Bill 28.

“This is an unprecedented action by a government that gives employers the right to tear up collective agreements they have signed,” Turk said.

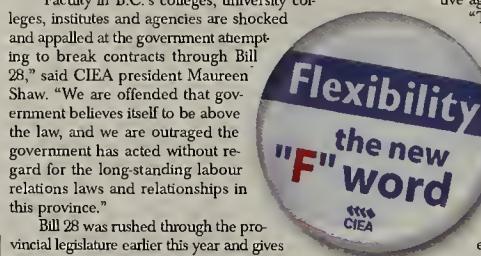
“There has been outrage from faculty associations not only in B.C. but across Canada and around the world.”

Faculty associations from the United States, Britain, Australia, New Zealand, Ireland and Sweden have written to B.C. Premier Gordon Campbell denouncing Bill 28.

Turk also added that CAUT is filing a complaint with the International Labour Organization alleging the Campbell government has violated decades-old international conventions on freedom of association and protection of the right to organize, collective bargaining, and labour relations in the public sector.

In a letter to all college presidents in B.C. issued last month, CAUT warned it will advise instructors not to take jobs at any college that uses Bill 28 to violate its collective agreement.

“This will pose serious problems for those colleges because of the upcoming shortage of faculty,” Turk said. “It will make it more difficult to recruit and retain qualified people.” ■



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Our Future.

PUBLIC HEARINGS

Cross-country hearings expose underfunding in education.

See Pages A4-A7

BOOKSHELF

Academic freedom & the inclusive university.

See Page A10

New Contract at Dalhousie

THE strike by members of the Dalhousie Faculty Association ended March 28 after a 92 per cent ratification vote for a new collective agreement. The strike by professors, librarians, counsellors and instructors began March 4 over complement, wages and fairness.

The three-year agreement calls for the university to provide a total DFA bargaining unit staff of 760 members “some of which may be contract positions,” said DFA president Andrew Wainwright. “We’ve agreed that the current complement of at least 684 members must hold full-time faculty positions.”

The agreement has wage increases of 2.8 per cent each year and a one-time comparability adjustment of \$1,000 added to salary for every member of the bargaining unit. There are also annual funds of \$140,000 for special salary increases, and \$100,000 for anomalies.

Wainwright said the staff replacement issue was the most contentious in contract talks with the university. “We argued that replacing professors who retired or left was fun-

See DALHOUSIE Page A2

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Protest Delays Cape Breton Budget



The UCCB board of governors tabled budget deliberations March 15 after discussing proposals which would see programs & jobs lost. The public board session attracted hundreds of students & faculty members who oppose the cuts.

PLANS by University College of Cape Breton administrators to cut programs and eliminate positions were put on hold when UCCB's board of governors last month delayed a controversial new budget.

Board members voted unanimously March 15 to table president Jacquelyn Scott's budget after lengthy deliberations at a public meeting which drew an overflow crowd of observers. "Her vision is not the vision of faculty and staff and is certainly not the vision of students," said Allen Britten, president of the faculty association and a member of the board of governors.

Governors told the Cape Breton Post they didn't have enough details to "move ahead with dramatic cost-cutting proposals which would profoundly impact on the future role and direction of the university."

Faculty and students weighed in with their own critique, observing that the budget package totalling \$37.8 million — nearly 6.4 million more than last year's budget — would see almost 50 teaching positions eliminated or reduced to part-time, program cuts, a 5.9 per cent increase in tuition and a 13 per cent increase in administrative costs.

Britten said the budget would have eliminated a number of programs which play a vital role in Cape Breton's social and economic development. "We are not suggesting that cuts don't need to come — just that they be done right," he said.

Court Dismisses Trent Appeal

A LEAVE to appeal application by two Trent University professors, supported by CAUT, over the closure of two colleges has been turned down by the Supreme Court of Canada, ending a lengthy dispute over university governance. Ian McLachlan and Andrew Wernick sought leave to appeal a split decision of an Ontario Court last August that upheld the university board's power to close Catharine Parr Traill and Peter Robinson colleges despite opposition from the senate. "We are deeply disappointed," said CAUT executive director Jim Turk. "We had hoped the Supreme Court would have used this case to clarify the relative powers of boards and senates when the bodies disagree." He reaffirmed the association's determination to preserve academic staff's role in making decisions about educational policy and programs. "The quality of postsecondary education in Canada depends on academic bodies controlling, regulating and determining the educational policy of each institution." ■

New Contract at Dalhousie

From PAGE A1

damental to the quality of education at Dal."

"The DFA held to their principles during a difficult strike," said Neil Tidmarsh, CAUT chief negotiations officer, who attended the final sessions that were

run by mediator Milton Veniot.

Faculty also received improvements to career development increments, vacation and parental leave benefits. Tenure review has been improved, with tighter deadlines and expedited arbitration of negative decisions. ■



Picketing ceased at Dalhousie March 27 after a four-week strike.



President's Column

Choosing the Right Path

By TOM BOOTH

OUR universities and colleges are facing enormous challenges threatening their ability to serve the public interest.

Years of underfunding and rising tuition fees are seriously compromising accessibility.

Decline in tenured faculty numbers and crumbling, health-threatening facilities have come at the same time as student numbers are increasing and students are paying considerably more for a university or college education.

The current situation of Canada's universities and colleges, left unchanged, translates to an unsustainable future for post-secondary education across the country.

There is disagreement over what should be done. There are some who argue the solution is to give up the fight with governments, to give up trying to rebuild a commitment to public funding of colleges and universities. Such individuals tell us we have no choice but to further privatize our sources of funding by calling upon students and their families to dig deeper and to bear even more of the costs of their education.

Deregulation of tuition fees, it is claimed, will allow institutions to enhance quality and better meet the needs of students. I couldn't disagree more.

Without entering into lost opportunity and classroom quality arguments and to state the case bluntly, higher tuition fees erode access and will not improve the overall quality of our public education system.

Recently I was in Vancouver and had the opportunity to listen to some students share their concerns about the B.C. government's decision to deregulate tuition — a decision that has unleashed obscene fee increases of 30 per cent in undergraduate programs and up to 400 per cent in professional faculties.

This is what one articulate and passionate high school student said: "The recent decision in B.C. to deregulate tuition fees is adding to the cost and adding to the hurt ... the hurt and disappointment thousands of high school students are feeling when their mom or dad has to tell them they cannot be that doctor, scientist, lawyer or teacher they have always dreamed about becoming. So I say please do not limit the options to me and my friends due to cost. We are the future of this province and this country and we are worth it."

Sadly, these words are being echoed in practically every region of the country. Students are raising our consciousness of the erosion of our proven societal values and the dangerous plight for our universities in a fashion unseen since the 1960s and 1970s. The protest is strong and the waste of human potential will

be immense and gut-wrenching if we do not heed the words of our young people.

In the post Second World War era, Canadians began building a high quality and accessible post-secondary education system. Education was recognized as a public good, to be publicly supported, and the need to graduate Canadian scientists, historians, lawyers, philosophers, biologists, doctors and artists was vigorously promoted.

Today, we are a far richer nation, both economically and culturally, for that commitment to accessible public post-secondary education "for all." Continuation of this enriched condition requires the same kind of commitment to high quality and accessible public education as undertaken by past farsighted political leaders and academics.

With deregulation we are moving perilously close to the privatized and exclusive system of the distant past, a quality education only for those who can afford it. What's alarming to me is that the drift toward deregulation and increased privatization is well underway. Our university and college systems have been purposely eroded and they are now in need of rebuilding.

If we are to reverse these destructive trends and maintain a vital, engaged society for the "knowledge economy" we must provide high quality post-secondary education to the widest possible spectrum of our young people.

Commitment means that those of us who have remained quiet while the foundations of our post-secondary education system crumbled must now speak out against a return to the archaic, two-tier and elitist model of education in the past. Academics must join with students and the public in the struggle for accessible, quality education.

Administrators, in their turn, should join with students, academics and the public to more forcefully call upon governments to recognize the seriousness of the crisis in public post-secondary education and to commit to providing for universal, accessible, affordable, comprehensive, publicly-administered colleges and universities for the future of the country.

Make no mistake, this is a tall order. But the price we pay for inaction and divisive activity will be a heavy one — the emergence of a full-blown privatized, deregulated and elitist post-secondary system that will not be pre-adapted to meet all the economic, social and cultural needs of our nation.

In my travels I have seen such a future. Post-secondary education is at a crossroads. For that student and her hurt, let's make sure we choose to move ahead in the right direction.

Taxing Working Classes for Tuitions is Not Unfair

By CHRISTINE OVERALL

IN mid-February, the British Columbia government quietly announced that it had lifted its freeze on tuition fees for universities and colleges in the province. Each institution will now have the freedom to set its own tuition fee levels. The argument is that each institution is in the best position to set fees that are "fair, reasonable, and affordable."

We all know, however, that moving to higher tuition fees is a step forced upon post-secondary institutions by provincial governments that refuse to provide adequate funding. Why do provincial governments do this?

Supposedly it's all about taxes.

In the debate about university tuition fees one argument, piously expressed, seems to recur. Some politicians say that it's just not fair to increase the taxes of the working-class guy who has never been to university, in order to preserve low tuition fees for more affluent kids. Instead, they argue, it's better to charge higher fees to the middle-class and wealthy kids who actually attend university. After all, so the story goes, they're the ones who benefit.

This argument sounds, superficially, as if it's very sensitive to class differences. It appears to be concerned about the fact that working-class people are less likely than middle-class people to have the chance to go beyond high school.

However, I've seldom heard that argument uttered by ordinary working-class guys — or gals — themselves, or even by middle-class individuals who grew up in working-class homes. Instead, the argument always seems to issue forth from a politician on the far right of the political spectrum, and almost always from someone who seems not to have much idea what it's like to lack the money to go to university.

I believe it's a lousy argument. Here's why.

First, the argument assumes that people who do not go to university do not benefit when others do. By the same token, then, none of us should ever pay taxes for anything we do not use.

So a childless person shouldn't contribute to primary or secondary education. And if my house never catches on fire, maybe I shouldn't pay for firefighters. Someone who does not swim or skate or borrow books shouldn't contribute to the upkeep of municipal pools and arenas and libraries. Instead, everyone who actually partakes of the facilities should be charged user fees.

You can see the error in this.

In reality it makes every sense to tax all citizens above a minimum income for these services. Schools, firehalls, pools, and arenas could not be provided without joint funding by everyone who can pay. And everyone benefits, one way or another, from having these amenities.

They benefit either directly, by actually using them, or indirectly, because schools, firehalls, pools, and arenas make the area more attractive to people who will move to the community, bringing their skills, experience, and professional acumen.

And here's another reason why it's false that only students themselves have a self-interest in university education. University students have parents, grandparents, siblings, aunts and uncles. Many university students — those in graduate or professional studies, and those who return to or start university in mid-life — also have children of their own.

Even if they have no post-secondary education themselves, all these family members benefit from the student's university attendance. They may benefit directly, because the student's income will likely increase as a result of their education. They also benefit indirectly, through pride in the achievements of the student and pleasure that the student is having the educational op-

portunity. I've never met a parent or grandparent who wasn't thrilled when their child or grandchild thrives at university.

More generally still, everyone in society benefits from having an educated workforce. Think of artists, filmmakers, historians, doctors, nurses, scientists, engineers, pharmacists, teachers, and social workers. Such people don't just benefit themselves through their education; they benefit everyone. In addition, because most of them earn higher incomes, they also pay more taxes and thereby help to fund additional social and cultural services.*

Finally, the argument that says the working-class citizen shouldn't pay higher taxes toward postsecondary education conveniently overlooks the fact that poor people and working-class people often aspire to go to university, and they often want their children and grandchildren to go to university.

Governments that refuse to direct more tax money toward universities are making exactly the right move to prevent such people from getting a postsecondary education. Doing so ensures that universities will be compelled to raise their fees. And universities thereby become less accessible.

So it's not only unjustified but condescending to "protect" working-class people from paying taxes toward postsecondary education. Such a perspective, far from being sympathetic to those disadvantaged by the class system, in fact serves to perpetuate it. ■

Christine Overall is professor of philosophy and associate dean of the arts and science at Queen's University.

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The views expressed are those of the author and not necessarily those of CAUT.

Faculty Association at the University of Saskatchewan Votes to Rejoin CAUT

FACULTY members at the University of Saskatchewan have voted to rejoin CAUT, after an absence of seven years.

Members of the University of Saskatchewan Faculty Association voted overwhelmingly in favour of the affiliation at a general membership meeting April 2.

"We're delighted with the decision," said Tim Quigley, chair of the association. "I was not surprised by the outcome. Our executive strongly favoured rejoining, and communications with the membership over the last year or so showed wide support."

Quigley said he felt membership in CAUT would have many advantages for USFA. "As with many other faculty associations we do not have enough people involved in the activities of the union. Taking ad-

USFA Snapshot

USFA was founded in 1952 to negotiate salaries and other benefits with the board of governors of the University of Saskatchewan. On Jan. 26, 1977, USFA was certified under the Trade Union Act. The first collective agreement was signed Dec. 15, 1978. USFA is the legally recognized bargaining agent for approximately 900 full-time faculty members, professional librarians and research scientists.

vantage of the various training workshops CAUT provides on-site will help us to train members in various aspects of union activity," he said. "In this way, we plan to develop a larger cadre of active union mem-

bers, helping us share the workload among a larger group and helping prevent an unhealthy situation developing of too few people perpetually running the association."

CAUT executive director Jim Turk said USFA involvement would be beneficial for CAUT and for other faculty associations. "This will reunite the CAUT family," he said. "USFA was a founding member of CAUT and we are happy this strong association wants to be a full participant in our activities."

He added he was hopeful USFA's decision would allow the reestablishment of the provincial association of Saskatchewan faculty associations.

USFA's membership application will be presented for endorsement at the CAUT Council meeting in Ottawa, April 25-28. ■

Pricing Education Out of Reach



March 17 (from left) — Former chair of the board of Douglas College Neal Nicholson, former CAUT president Bill Bruneau & New Westminster & District Labour Council member Carolyn Chalifoux preside at Vancouver public hearings.

Vancouver

CAUT, the College Institute Educators' Association of B.C., the Vancouver Community College Faculty Association and the Capilano College Faculty Association opened two days of hearings on the future of post-secondary education in Vancouver, March 17, with a keynote address by former New Democratic Party leader Ed Broadbent.

Broadbent said student debt loads as high as \$25,000 would have been inconceivable at the time he graduated from university.

"When I graduated university back in 1959 as a working-class kid from Oshawa, I was full of optimism," Broadbent said. "Within a year, my student debts were completely paid off and I never looked back."

Following Broadbent's speech, a number of students appeared before the hearings to voice their con-

cerns about the recently announced increases in college and university tuition in the province.

Summer McFadyen, B.C. chairperson of the Canadian Federation of Students, strongly criticized the provincial government of Gordon Campbell for completely deregulating tuition fees.

"Students who desire and are qualified to study pharmacy, law, and medicine will have to pay between 42 per cent and 75 per cent more than students last year," McFadyen said. "We are in the knowledge-based economy. It is estimated that by 2004, 72 per cent of all new jobs will require a post-secondary education. We can't afford to price education out of reach for so many people."

Brad West, a high school student from Riverside Secondary School in Port Coquitlam, said the increase in tuition fees means many

young people are giving up on their career dreams.

"It is a sad day in this country when one of my friends says she is no longer going to UBC to be a doctor," West told the hearings. "It's not because she doesn't have the grades or she has lost interest in being a doctor. The reason she can no longer be the doctor she dreamed about being is because her family can't afford it."

"What message are all these cuts and changes sending to the youth of B.C.?" asked Haven Anderson, a grade 11 student at Ideal Mini School in Vancouver. "That those who can pay matter and those who can't don't? That those who have the most deserve more and those who have the least deserve less?"

Rising fees pose a significant barrier to students studying adult

See VANCOUVER HEARINGS Page A5

Les programmes en langue française souffrent du sous-financement

Sudbury

L'ACPPU et l'Association des professeurs de l'Université Laurentienne ont organisé des audiences publiques qui ont duré toute la journée du 28 février et ont porté sur l'avenir de l'enseignement postsecondaire dans la communauté.

Jean-Charles Cachon, président de l'association des professeurs, a souligné que l'importante population francophone de la région a particulièrement souffert des réductions des dépenses au titre de l'éducation, et a indiqué que les progrès accomplis dans les années 1980 et au début des années 1990 s'estompent maintenant parce que le gouvernement provincial ne finance pas suffisamment les programmes collégiaux et universitaires francophones.

« La fermeture récente du Collège des Grands Lacs est un bon exemple, a-t-il expliqué. L'échec de cet établissement francophone n'est pas dû à la pénurie d'étudiants et d'étudiantes intéressées mais à l'insuffisance des fonds versés par les gouvernements fédéral et provincial. C'est toute la communauté francophone qui a subi un échec. »

Aurèle Tellier, président du Conseil scolaire du district du Grand Nord de l'Ontario, a convenu que l'enseignement en langue française est confronté à des défis énormes dans la province.

« La combinaison du sous-financement de nos collèges et universités, la hausse des frais de scolarité, et les taxes scolaires qui sont au-dessus de la moyenne provinciale dans notre région ont créé une situation fort peu enviable pour les francophones du Nord de l'Ontario », a-t-il déclaré. « Nous pensons néanmoins que notre population étudiante a le droit de recevoir une éducation postsecondaire dans sa langue maternelle. Elle a le droit de demander que les établissements

d'enseignement postsecondaire offrent des programmes en langue française équitablement. »

Des étudiants et étudiantes ont aussi témoigné et ont décrit les difficultés financières que les frais de scolarité entraînent.

« Je vais avoir beaucoup de mal à rembourser mes emprunts qui totalisent environ 25 000 \$ en ce moment, a dit Sophie Gauthier, de l'Association des étudiants francophones. L'éducation n'est pas réellement accessible aux personnes à revenu faible ou moyen. À mon avis, l'éducation est de plus en plus à la portée des gens riches. »

C'est toute la communauté francophone qui a subi un échec.

Michael Page, agent de district de la Fédération des enseignants-enseignants des écoles secondaires de l'Ontario, a prédit que les graves compressions imposées au réseau des écoles secondaires de la province auront des répercussions sur le système d'enseignement postsecondaire dans quelques années.

« La formule de financement des écoles secondaires de l'Ontario, et particulièrement du Nord de l'Ontario, a eu des effets dévastateurs sur la qualité de l'éducation offerte dans notre province, a-t-il affirmé. Cette formule aura des conséquences sur les collèges et universités qui n'ont pas encore eu le temps de se préparer pour accueillir les diplômés et diplômés du nouveau programme d'études, sans parler du manque d'uniformité dans lequel il a été offert aux élèves de la province. »

Voir SUDBURY à la page A6

Community Groups Say Universities Should Do More

UNIVERSITIES and colleges in Canada must do more to encourage participation from disadvantaged groups, according to participants in a set of public hearings organized by CAUT last month in Winnipeg.

Rob Marriot, a Métis student and coordinator of the Lesbian, Gay, Bisexual and Transgendered Collective of the University of Winnipeg, described the difficulties faced by Aboriginal students.

"Aboriginal people face many different things in a university setting," he explained. "This includes racism, culture shock, and being considered 'experts' on Aboriginal issues because you are the only Aboriginal in class."

He also added that inadequate funding remains the most serious problem for Aboriginal students.

"Education is a treaty right of First Nations people, but the federal government is not holding up its

responsibility. There are long waiting lists for funding."

Barry Hammond of the Grove Street Teachers' Centre in Winnipeg suggested a number of ways universities could better ensure the success of Aboriginal students.

"Tuition should be balanced with the average social income of the communities from which a student comes," Hammond recommended. "As well, smaller campuses must be designed since few Aboriginal students can succeed in a setting with over 20,000 other learners. Of course, staff must also be diversified with better representation from Aboriginal and other minority groups."

Amanda Aziz and Lisa Stepnuk of the University of Manitoba's Womyn's Centre said that while women are attending universities and colleges in ever greater numbers, a number of inequities still exist.

"Manitoba has the highest high school dropout rate among

women of any province," Aziz noted. "Many of these young women are mothers and a significant portion is Aboriginal. If these women are dropping out of high school, most of them will never make it to university or college."

"For those women who do get onto campus, they must also face an atmosphere that is systematically sexist and exclusionary," Stepnuk said. "Male professors and deans make up the majority of most departments so that the education we receive is almost entirely from a male perspective. Add to this the fact that the overwhelming majority of all faculty members are white and the problems become even more acute."

Barbara Ashdown, president of the University of Winnipeg Students' Association, warned higher tuition fees are closing the doors to postsecondary education for many qualified students.

"Recent data suggests there is

a direct link between funding and accessibility. We also suspect that dropout rates from Canadian postsecondary institutions are disturbingly high, largely due to the excessive financial burden placed on students and their families."

Representatives of the faculty associations of Saint-Boniface, Winnipeg, and Manitoba also participated in the hearings.

Ranjan Roy, president of the University of Manitoba Faculty Association, said universities in Canada, encouraged by governments, are shifting priorities away from traditional liberal arts programs to "more market-oriented programs" like computer science and business administration.

"While over the past couple of years hiring at my university has kept pace with and even exceeded the number of colleagues who've left or retired, the faculty of arts has had a net loss. Departments of English, French, Spanish,

Italian, history, psychology and sociology have experienced significant cuts. Recently, \$800,000 was transferred from the faculty of arts budget to a Strategic Initiatives Fund, controlled by the administration and used for more lucrative and high profile programs."

Representatives of a number of community organizations attended the hearings and suggested the city's universities and colleges need to develop a better relationship with the local community.

"The universities as institutions have been basically irrelevant to the community I work with," stated Marty Dolin, executive director of the Manitoba Interfaith Immigration Council. "The perception of the folks out there is that the universities are isolated and not relevant to the Aboriginal community, the ethno-Canadian community and the working class community because universities themselves are not open to them."

Les Premières nations sont écartées de l'enseignement supérieur

Regina

FAUTE de fonds publics, jusqu'à 2 000 autochtones de la Saskatchewan qui souhaitent poursuivre des études collégiales ou universitaires n'y ont pas accès selon la Fédération des Indiens de la Saskatchewan.

Prenant la parole aux audiences publiques sur l'enseignement postsecondaire organisées à Regina le mois dernier par l'ACPPU, Danette Starr-Spaeth, directrice générale intérimaire du secrétariat de l'éducation et de la formation de la fédération, a déclaré que le Programme de soutien aux étudiants au niveau postsecondaire administré par le ministère des Affaires indiennes et du Nord n'offre qu'une aide financière limitée aux étudiants des Premières nations.

« Nous avons un besoin impérieux de ressources supplémentaires pour l'enseignement postsecondaire. Les augmentations annuelles sont trop minimales et ne reflètent pas la demande accrue. L'année dernière, le financement n'a connu aucune hausse. Les prêts aux étudiants sont un problème pour les jeunes des Premières nations et nous sommes réticents à en faire la promotion », a-t-elle ajouté.

Mme Starr-Spaeth a également souligné que les hausses de frais de scolarité, en particulier pour les programmes professionnels, exercent davantage de pression sur les fonds déjà restreints offerts aux étudiants autochtones.

« Le mode de financement utilisé pour le programme de soutien aux étudiants n'est pas adapté aux coûts élevés des programmes », a-t-elle conclu.

Les représentants étudiants qui ont assisté aux audiences ont décrété l'énorme fardeau financier

qu'ils doivent supporter et qui découragent certains jeunes de poursuivre des études collégiales et universitaires.

« Quelqu'un m'a demandé récemment si nous arrivions au point où une personne apte à entrer à l'université ne pouvait le faire à cause des coûts. J'ai répondu au sans détour que nous avions dépassé ce point et que la situation devait changer », a déclaré Derek Burt de l'association étudiante de l'Université de Regina.

Sam Sankaran, président de l'association des professeurs de l'Université de Regina, a convenu que l'accès aux études postsecondaires était menacé.

« À cause de l'insuffisance des fonds publics, seules les personnes qui ont les moyens de payer des frais de scolarité plus élevés ont accès à des études supérieures », a-t-il déclaré.

Nous avons besoin de ressources pour l'enseignement postsecondaire.

M. Sankaran a ajouté que les faibles niveaux du financement public obligaient de nombreuses universités à réduire le nombre de membres à temps plein du corps professoral et à recourir davantage aux chargés de cours.

« Combien de personnes savent que presque 25 p. 100 des cours du premier cycle sont donnés par des chargés de cours? Ces universitaires ne touchent que 4 000 \$ par cours. Ils enseignent à de gros groupes, ils doivent préparer les cours, corriger les travaux et être disponibles pour

les étudiants. Pourtant, ils n'ont pas droit aux avantages que la population active en général tient pour acquis », a conclu M. Sankaran.

Sel Murray, gestionnaire des services du programme international de l'université, a accusé certains administrateurs de chercher des solutions rapides pour pallier la pénurie de fonds publics. Leurs décisions ont des répercussions sur les personnes défavorisées en leur limitant l'accès aux études postsecondaires.

« Il y a un problème de représentation au sein de nos organes directeurs de sorte que l'on tient compte surtout du point de vue des personnes qui y sont représentées et qui y siègent », a soutenu M. Murray. « Il en résulte un système d'enseignement postsecondaire dont l'accès est limité et sérieusement réduit et où les défavorisés subventionnent les nantis. »

Il a également critiqué la tendance à « l'internationalisation » qu'encouragent de nombreuses universités désireuses de recruter des étudiants étrangers qui paient des frais de scolarité plus élevés.

« Le problème est que nous faisons la promotion de nos universités sur la scène internationale non pas dans le but de leur ajouter de la variété mais plutôt parce que nous pouvons y trouver de l'argent et exiger les frais les plus élevés que le marché peut soutenir », a-t-il expliqué.

« Nous observons dans nos universités depuis quelques années une modification de la clientèle étudiante étrangère. Auparavant, les étudiants étrangers provenaient des diverses couches sociales d'un pays. Aujourd'hui, nous constatons que les étudiants étrangers sont des privilégiés et des nantis. » ■

Sudbury : Plus d'argent en éducation

À la suite de la PAGE A4

La présidente du Conseil du travail du district de Sudbury, Sandy Bass, a elle aussi blâmé le gouvernement provincial conservateur pour « avoir semé la zizanie » dans tout le système d'éducation de l'Ontario. « Le programme des Conservateurs est clair, a-t-elle soutenu. Ils veulent privatiser de plus en plus le système d'éducation de cette province et créer des occasions profitables pour leurs amis du secteur commercial. »

David Robinson, professeur d'économie à la Laurentienne, a affirmé que le gouvernement provincial doit dépenser plus d'argent à tous les paliers de l'éducation en prévision du vieillissement de la population.

« Les dépenses en éducation, surtout en enseignement supérieur, améliorent la situation des retraités actuels et futurs, a-t-il poursuivi. Ces dépenses sont aujourd'hui aussi essentielles que l'investissement dans les régimes de pension. Quand nous investissons dans l'éducation des jeunes, nous accroisons le capital humain et vivons ensuite du rendement de ce capital. »

M. Robinson a aussi dit que les gouvernements du Canada ont « malheureusement échoué » en ne reconnaissant pas qu'il est important d'accroître les dépenses au titre de l'éducation, et a recommandé que le gouvernement fédéral joue un rôle de premier ordre dans le financement des universités et collèges.

« Il serait tout à fait logique que le gouvernement fédéral investisse dans l'enseignement supérieur en payant tous les coûts des étudiants en échange d'une hausse modeste de l'impôt sur le revenu. Pourquoi, après tout, les contribuables de la Saskatchewan devraient payer l'éducation d'étudiants qui déménagent en Ontario et paient des impôts à Jim Flaherty [ministre des Finances de l'Ontario]? » ■



Jean-Charles Cachon, président de l'association des professeurs à Laurentienne.

Vancouver Hearings — Pricing Education Out of Reach

À la suite de la PAGE A4

basic education and English as a second language, argued Christa Peters, organizer of the King Edward Students' Association.

“Increases in tuition fees will mean that some of our students will never receive the basic literary training they need to function in our society,” Peters warned. “And laying off faculty and staff will reduce the quality of education we receive.”

Several presenters suggested the B.C. government intends to privatize postsecondary education.

“By underfunding the colleges while overworking faculty and overcharging students, the government makes the private postsecondary institutions look more attractive,” said Crawford Kilian, coordinator of the communications program at Capilano College.

Kilian also criticized Bill 2B, the provincial legislation that overrules collective agreements and gives college administrators new powers to increase class sizes and force faculty to teach on-line courses.

“Under this act, colleges can



March 17 — Ed Broadbent, former NDP leader, delivers keynote address.

order any faculty member to teach any course on-line, regardless of the instructor's wishes or expertise,” he noted. “This seems like a baffling step, especially to one like me who has taught on-line courses since the 1980s. I know it's not a medium for all students or all teachers, and it is an unforgiving

medium for all but the most motivated students.”

“The B.C. government has announced its intentions to allow private institutions to grant degrees,” added Maureen Shaw, president of the College Institute Educators' Association. “This threatens to open up a whole Pandora's box of

problems given international trade agreements, issues of inequality and astronomical costs for students in private institutions, and poor regulation of educational quality and integrity.”

Other speakers noted the federal government must also bear some of the blame for the problems now facing colleges and universities.

“Instead of using the budget surplus to restore the funding it cut for core operating grants, the federal government has trickled the money back into the postsecondary system with programs that are designed to largely benefit the ‘have’ institutions,” argued Rob Clift, executive director of the Confederation of University Faculty Associations of B.C. “The result is that Canadians no longer have the expectation that they, or their children, will have opportunities for postsecondary education and training.”

Several community groups appearing before the hearings highlighted the difficulties faced by refugees and recent immigrants to Canada in accessing postsecondary education.

“We're concerned that recent immigrants and refugees to Canada will not be able to afford to improve their education, or have foreign studies recognized because of the rising costs of postsecondary education,” stated John Argue of the Vancouver-based Working Group on Poverty.

“This is at the same time that we've learned from the recent census figures that because of slow population growth Canada will have to depend upon immigrants and refugees to an even greater degree to fill holes in the labour market. It seems inconsistent to me that we're adopting policies that hinder access to postsecondary education at the very time the country will have to depend upon workers with more advanced skills and qualifications to help the country's economy.”

The Vancouver hearings were chaired by former CAUT president Bill Bruneau, Carolyn Chalifoux of the New Westminster and District Labour Council, and Neal Nicholson, a chartered accountant and former chair of the board of Douglas College. ■

First Nations People Shunted Aside in Higher Education Support



Danette Starr-Spaeth says First Nations students desperately need funding.

Regina

ALACK of federal funding means that up to 2,000 First Nations people in Saskatchewan who want to attend a college or university are being denied access, according to the Federation of Saskatchewan Indian Nations.

Speaking at public hearings on post-secondary education organized in Regina last month by CAUT, Danette Starr-Spaeth, interim executive director of the federation's education and training secretariat, said the Post-Secondary Student Support Program funded by the Department of Indian and Northern Affairs provides only limited funding for First Nations students.

"We are in desperate need for additional resources for post-secondary education. The increases per year are too small and don't reflect the growth in demand. Last year, there was zero increase in the funding level. Student loans are problematic for First Nations people and we are reluctant to promote them," she said.

Starr-Spaeth also emphasized that tuition increases, particularly for professional programs, have put further stress on the already limited amount of funds available for First Nations students.

"The funding formula used for the student support program does not accommodate high cost programs," she said.

Financial Burden

Student representatives who attended the hearing described the enormous financial burden they are being forced to carry, a burden that is turning some young people away from universities and colleges.

"Somebody asked me recently if we were approaching the point where someone who is academically qualified to attend university can't because of the costs. I told them straight out that we are already past that point and things have to change," said Derek Burt of the University of Regina Students' Union.

Sam Sankaran, chair of the University of Regina Faculty Association, agreed that accessibility is at risk.

"Inadequate public funding means only those who can afford

the higher fees have access to an education," he said.

He added that low levels of public funding have also pushed many universities to reduce the number of full-time faculty members and rely more on contract academic staff.

"How many people know that at the University of Regina almost 25 per cent of undergraduate courses are taught by sessionals?" he asked. "These people are paid just \$4,000 per course. They have to teach large classes, they have to prepare lessons, mark assignments, and be available for students and yet they have no access to the benefits that the general workforce takes for granted."

Foreign Students

Sel Murray, manager of international program services at the University of Regina, accused some university administrators of looking for "quick fixes" in dealing with the shortfall in public funding and said their actions are resulting in a "backlash" against access to post-secondary education for the disadvantaged.

"There is a lack of representation on our governing bodies. This leads to considerations being made primarily from the point of view of those who are represented and seated around the table," Murray argued. "The result is a post-secondary system that is seriously limiting and rolling back access, that sees the disadvantaged subsidizing the privileged."

He also criticized the "internationalization" agenda now being promoted by many universities eager to recruit foreign students who pay higher tuition fees.

"The problem is we market our institutions not in an international context with the aim of adding variety to our institutions, but we market where we can find money and charge the highest fees the market can bear," he explained.

"What I've observed on our campus over the past number of years is a change in the population among international students. Where we've had international students in the past from a broad spectrum of a country, we now find international students as being the privileged and the wealthy." ■

Promouvoir les rapports entre l'université et la collectivité

Toronto

LE 7 mars, plus de 100 personnes se sont entassées au centre communautaire Driftwood de Toronto pour assister à un forum sur l'enseignement public organisé par l'ACPPU, l'association des professeurs de l'Université York (YUFA) et le quartier Jane-Finch de Toronto.

Animé par Paul Riley, journaliste de la télévision et de la radio, le forum a porté sur les rapports parfois difficiles entre les différentes ethnies du quartier Jane-Finch et sa voisine l'Université York.

Lennox Farrell, militant pour l'éducation et l'action communautaire, a qualifié l'université de « résidente absente » et lui a conseillé d'en faire plus pour rejoindre chez elle la communauté multiculturelle.

Le quartier Jane-Finch est très diversifié et englobe 15 communautés linguistiques, provenant d'Afrique orientale et occidentale, d'Asie méridionale et du Sud-Est, et des Caraïbes.

Selon M. Farrell, l'Université York a l'influence et les ressources nécessaires pour innover. « En montrant l'exemple, d'une manière sincère, à long terme, progressive et directe, l'université peut prendre à parti les rôles que jouent d'autres universités, collèges et établissements d'enseignement dans la province sur l'équité dans les conditions d'accès à l'éducation pour les groupes ethniques défavorisés », a-t-il déclaré.

Roger Rowe, de l'Association canadienne des avocats noirs, a exprimé la frustration que de nombreux résidents de Jane-Finch ressentent à l'endroit de l'université.

« J'aimerais que l'université cesse de se servir de notre communauté comme sujet de discussion dans les classes », a demandé M. Rowe. « L'université doit participer à la communauté et agir. »

« Nous avons besoin de l'aide des professeurs et de l'université pour exposer les élèves de nos écoles à la vie universitaire et à l'idée

d'obtenir une formation universitaire », a ajouté Kevin Jacobs, un enseignant de l'école publique Firgrove.

D'autres témoins ont remarqué que, à cause de la réduction des fonds de l'éducation publique, les élèves du quartier Jane-Finch éprouvent plus de difficulté à terminer l'école secondaire et à poursuivre leurs études au collège ou à l'université.

« Lorsque j'ai commencé à enseigner ici, il y a dix ans, la diversité des programmes que nous offrons m'a étonnée », a déclaré Jennifer Ladouceur, enseignante à l'école secondaire Westview Centennial. « Les temps ont cependant changé. Les cours que nous offrons ne sont pas assez diversifiés pour bien répondre aux besoins de nos élèves. Le programme d'études est plus difficile et progresse plus rapidement. Les élèves sont à bout de nerfs et les enseignants sont éprouvés. »

L'Université York doit participer à la communauté et agir.

« Pour de nombreuses personnes, l'université devient inaccessible, en particulier pour les habitants de notre communauté », a déclaré la militante d'action communautaire Cheryl Prescod.

Elle a calculé qu'il en coûte 100 000 \$ pour envoyer ses deux enfants à l'université.

« Nous ne pourrons nous permettre cette somme. Si nos enfants choisissent d'aller à l'université, ils en sortiront lourdement endettés. Avec la montée en flèche des frais de scolarité, devrions-nous encore encourager les enfants de ce quartier à viser haut et à obtenir un grade universitaire ? » a-t-elle demandé.

Richard Telfer, de la Fédération canadienne des étudiantes

et étudiants, a convenu que de plus en plus de personnes n'avaient pas accès à des études post-secondaires.

« Les universités et les collèges sont également à court de fonds publics qu'ils doivent augmenter considérablement les frais de scolarité, ce qui a pour effet d'exclure les étudiants à faible et moyen revenu », a déclaré M. Telfer.

Paul Riley a conclu le forum en faisant part de ses préoccupations sur l'abordabilité des études postsecondaires. Il a récemment déposé une plainte concernant les droits de la personne contre les facultés de droit de l'Ontario selon laquelle des frais de scolarité élevés constituaient de la discrimination à l'endroit des personnes à faible revenu et des groupes minoritaires.

« Depuis la déréglementation des frais de scolarité décrétée par le gouvernement provincial, les écoles professionnelles ont tellement augmenté leurs frais de scolarité, que dans cinq ou dix ans à mon avis, il n'y aura plus de médecins, de dentistes, d'avocats et de chiropraticiens noirs », a soutenu M. Riley. « Très peu de Noirs peuvent se permettre de payer 20 000 \$ par année pour envoyer leurs enfants à l'école. »

Les organisateurs du forum se sont félicités de l'intérêt et de la participation des résidents du quartier.

« Le forum avait pour but de favoriser le dialogue entre les professeurs et la collectivité sur l'accès à l'éducation et sur sa qualité », a expliqué Lorna Erwin, organisatrice de l'événement pour la YUFA.

« J'espère que le dialogue que nous avons entamé ce soir se poursuivra et se concentrera sur la manière dont les universités, les écoles et les résidents peuvent collaborer pour assurer au quartier Jane-Finch une meilleure éducation et un meilleur accès à l'éducation. » ■



Au centre communautaire Driftwood de Toronto — Lorna Erwin, organisatrice de l'événement, et l'animateur Paul Riley.

French Programs Suffer from Lack of Funding

STUDENTS

CAUT and the Laurentian University Faculty Association organized a day-long series of hearings in Sudbury Feb. 28 that focused on the future of post-secondary education in the community.

Faculty association president Jean-Charles Cachon noted that the large francophone population of the region has particularly suffered from cutbacks in education spending, and warned that gains made in the 1980s and early 1990s are now being rolled back because the provincial government is not adequately funding French-language college and university programs.

"The recent closure of the Collège des Grands Lacs is a good example of this," Cachon explained. "The failure of this French-language institution was not because of the lack of interested students, but because of the lack of adequate funding from the provincial and federal governments. It has been the whole francophone community that has been failed."

Aurèle Tellier, president of the Conseil scolaire du district du Grand Nord de l'Ontario agreed that French-language education is facing enormous challenges in the province.

"The underfunding of our colleges and universities, the increase in tuition fees and school taxes that are below the provincial average in our region have combined to create a less than enviable situation for francophones in Northern Ontario," Tellier said.

"However, we believe that our students have a right to receive their post-secondary education in their mother tongue. They have a right to demand that post-secondary institutions offer programs in French that are funded equitably."

Several students also appeared before the hearings and described the challenges they face in struggling with higher tuition fees.

"With my loans currently at about \$25,000, it is going to be a real struggle for me to pay them off," said Sophie Gauthier of the Association des étudiants francophones. "Education is not really accessible for low-income or middle-income people. From my perspective, I'm seeing that education is more and more available only to those with a lot of money."

Funding Formula

Michael Page, district officer with the Ontario Secondary School Teachers' Federation, warned that severe cuts to the province's public school system will "ripple and surge" into the post-secondary education system in the next few years.

"The funding formula to secondary schools in Ontario and particularly Northern Ontario has been devastating to the quality of education offered in our province," Page said. "This funding formula will impact the colleges and universities, who have not had the time to adjust to students graduating from a new curriculum, let alone the inconsistency of which

this curriculum has been applied to students across the province."

The president of the Sudbury District Labour Council, Sandy Bass, similarly blamed the provincial Conservative government for "wreaking havoc" on the entire education system in Ontario.

"The agenda of the Tories is very clear," Bass warned. "That agenda is to increasingly privatize the education system in this province and to open it up to profit-making opportunities for their corporate friends."

David Robinson, a professor of economics at Laurentian, argued the provincial government must spend more on all levels of education in order to prepare for an aging population.

"Spending on education, especially higher education improves the situation for current and future pensioners," Robinson said. "Spending on education now is essentially the same as investing in pension plans. When we invest in the education of youth, we are increasing human capital and then living off the return of that capital."

He said governments in Canada have "failed dismally" in recognizing the importance of spending more on education, and recommended the federal government play a lead role in funding universities and colleges.

"It would make a lot of sense for the federal government to invest in higher education by paying all of students' costs in exchange for a small increase in income taxes. Why, after all, should Saskatchewan taxpayers pay for the education of students who move to Ontario and pay taxes to [Ontario Finance Minister] Jim Flaherty?"

Molly Hancock of the Committee to Remember Kimberly Rogers also appeared before the hearings to highlight the enormous hurdles that now face lower-income people who want a university or college education.

In an emotional presentation, Hancock told the story of Kimberly Rogers, a Sudbury woman on social assistance, who began attending Cambrian College in 1996 while receiving both student loans and social assistance, something the provincial government of Mike Harris made illegal the same year.

After graduating from Cambrian, Rogers was convicted of welfare fraud and sentenced to six months of house arrest. For the first three months of her arrest, she was denied income of any kind. Rogers and her unborn child died in her apartment in August 2001 during a severe heat wave.

"Kimberly paid a heavy price for trying to achieve a better future for herself and her child," Hancock said. "The regular increase in tuition fees is restricting postsecondary education to those who can draw on secure financial support from family. Is this the kind of society you and I want to live in? Education only for the privileged?" ■

University-Community Links Are Key to Better Public Education



Building bridges — Local hearing on public education draws crowd from university & community March 7 in Toronto.

Toronto

MORE than 100 people crowded into the Driftwood Community Centre in Toronto on March 7 to attend a forum on public education organized by CAUT, the York University Faculty Association, and Toronto's Jane-Finch Community.

The event, hosted by radio and television journalist Paul Riley, focused on the often uneasy relationship between the ethnically diverse community of Jane-Finch and neighbouring York University.

Education and community activist Lennox Farrell referred to the university as an "absentee resident" that should be doing more to reach out to the multicultural community in its backyard.

The Jane-Finch community is highly diverse, including some 15 language communities from East and West Africa, South and Southeast Asia and the Caribbean.

"York University has the clout, influence and resources needed to make a difference," Farrell said. "By displaying a genuine, long-term, progressive and forthright example, York can call to account the roles being played by other universities, colleges, and other educational institutions in this province on issues of equity in education and opportunities for disadvantaged ethno-cultural communities."

Roger Rowe of the Canadian Association of Black Lawyers expressed much of the frustration that many in the Jane-Finch community feel toward the university.

"I'd like York University to stop using our community as a guinea pig to be talked about and discussed in classrooms," Rowe stated. "York has to get into the community and do something."

"We need the faculty and the

university to help us in exposing students in our schools to what's happening at the university and to the idea of obtaining a university education," added Kevin Jacobs, a Firgrove Public School teacher.

Other speakers noted that funding cuts to public education are making it more difficult for students in the Jane-Finch community to finish high school and to go on to university or college.

"When I began teaching here 10 years ago I was amazed at the diversity of programs we offered," said Jennifer Ladouceur, a teacher at Westview Centennial Secondary School.

York has the clout, influence & resources to make a difference.

"However, times have changed. There's not enough diversity in the courses we offer to properly address the needs of our students. The curriculum is harder and moves faster. The students are stressed out and the teachers are worn out."

"University education is becoming inaccessible for many people, especially people in our community," warned community activist Cheryl Prescod.

She estimated it will cost up to \$100,000 to send her two children to university.

"That's an amount of money that we will not be able to afford. If our children do make the choice to go to university they will come out of it with an overwhelming debt. With the rising cost of tuition, should we still be encouraging our kids in this community to keep those high expectations

of getting a university degree?" Prescod asked.

Richard Telfer of the Canadian Federation of Students agreed that post-secondary education is becoming less accessible for a growing number of people.

"Universities and colleges have been so starved of public funding that tuition fees have been soaring," Telfer said. "The effect of all this is that lower- and middle-income people are being shut out."

Paul Riley concluded the forum by conveying his concerns about the affordability of post-secondary education. Riley recently launched a human rights complaint against law schools in Ontario, alleging high tuition fees are discriminating against low income people and minority groups.

"Since deregulation of fees by the provincial government, professional schools are putting their prices up so high that, what I'm suggesting, is that in five to eight years there will be no more black doctors, dentists, lawyers, and chiropractors," Riley argued. "Very few black people can afford to pay \$20,000 a year to send their children to school."

Organizers said they were pleased with the interest and participation from the community residents.

"The purpose of the forum was to foster a dialogue between faculty and the local community about issues of access and quality in education," explained Lorna Erwin, event organizer for YUFA.

"I hope the dialogue we started tonight will carry on and focus on how universities, schools, and residents can work together to ensure better education and more accessible education for the Jane-Finch community." ■

Public Universities Under Attack

From PAGE A13

Also, my discussion is concerned with the consequences of neglect and indifference to public universities in a country in which extreme neoliberal tendencies may lead to their eventual privatization. This would lead to a further marginalization of critical and independent voices. It is true that there are two or three exceptional private universities but they have a longer history and do not have the same character as newly established post-secondary institutions. These newer institutions do not, and will not, resemble Catholic post-secondary education already in existence in Latin American countries.

In all likelihood, they would be commercially driven centres of applied or sponsored research with limited or even highly restricted curricula geared directly to acquiring job-related skills. They would have few facilities, few permanently employed academics, and there would be no protection of academic freedom. The Pinochet regime in Chile left such a legacy after 1990 when a restricted democracy was introduced to succeed it. And the University of Chile, shattered and fragmented by the regime, never returned to its former position as one of the outstanding centres of learning in Latin America.

Several years ago observers of change in Latin America would have regarded Colombia as an anomaly. It still had a somewhat functioning electoral democracy, a reasonably functioning economy, and a good education system. Rather than being an example of what can go wrong in Latin America, it was perceived as a relatively safe ally of the North, existence of the guerrillas notwithstanding.

The anomalies, it seemed, were the military dictatorships of the southern cone. Now it appears Colombia may represent a frightening possibility of the future, including for countries such as Canada — a nation in which civil liberties are hollowed out, due to a two-pronged attack by the establishment of a total security state, on the one hand, and the proliferation of



"Only the food my son."

schemes for privatization and total commercialization on the other.

In Colombia, this process has reached a level, long in coming, at which "democracy" has become a mere façade concealing practices of terror and intimidation applied to large sections of the population.

Freedom is not quite dead, however, when graffiti, like that reproduced above, still appears, as did this one, on the campus of the National University. A most eloquent comment on the war in Afghanistan: The members of a student group from the National University and their friends who have made this drawing understood a basic issue hardly commented upon by North American media in late November. That the "war against terrorism" would be fought with the wrong weapons — i.e., militarily only — and that nourishment and care in general would be in short supply or come too late for large numbers of people. They understood this because this is also their experience.

Student commentary, such as the one mentioned above, and campaigns, such as the Canadian student campaign for the freezing of tuition, may remind us of the importance of education as a public good, together with public health

care and adequate nourishment for all.

I am convinced that universities can only survive with integrity if the present trend toward exploitative privatization and the growing concentration of military, financial and political power, if the search for alternatives to these powers becomes a major concern. It will require rethinking public universities, as well, so that they become more open and more connected to the communities of which they are a part and to the concerns of the growing number of people excluded from a decent life, the realization of their own capabilities and a full experience of their own dignity. ■

Dieter Misgeld is professor of theory and policy studies in education at the University of Toronto/Ontario Institute for Studies in Education.

The views expressed are those of the author and not necessarily those of CAUT. Les articles reflètent l'opinion de l'auteur et pas nécessairement celle de l'ACPPU.

Commentary is a regular feature of the Bulletin. Readers are invited to submit articles for publication. Contact Liza Duhamel for details (duhamel@caut.ca). Tribune libre est une chronique régulière du Bulletin. La rédaction invite les lecteurs à soumettre des articles. Veuillez vous renseigner auprès de Liza Duhamel (duhamel@caut.ca).

Letters

Merit Pay System Flawed

Many thanks to Paul Handford for a profound analysis of the flaws of the merit pay system (commentary, *Bulletin*, March 2002). He is quite right that this system is anti-collegial, demoralizing, wasteful on time, energy and resources, and makes almost everyone unhappy.

The problem is whether it is possible to indicate a clearly better alternative. While, of course, the extreme of total salary equality is an unlikely sell to academia, a sensible compromise could be a replacement of the present merit pay system with fixed salary levels, say, two or three for each academic rank (assistant, associate and full professors). For as long as individual performance remains satisfactory, a raise to the next level should be determined largely by seniority. A similar system (fixed salary grid with uniform inflationary adjustments) is, in fact, commonly used for non-academic staff at universities and, in my view, its extension to the academic sector is long overdue.

Special achievements and/or administering extra duties should, as Professor Handford correctly points out, be covered by a system of ad hoc prizes and/or stipends. These, however, should not be built into the base salary and hence should not affect future pension benefits.

ALEXANDER A. BEREZIN
Engineering Physics, McMaster University

Newsline - En bref

Salary Settlement at Waterloo

The Faculty Association of the University of Waterloo reached an agreement with the university over compensation on Feb. 4. Faculty members received a two-year salary settlement with wage increases of 2.6 per cent and salary floors and thresholds increases of 3 per cent the first year and a scale increase equal to the 2002 annual average percentage change in the Canada Consumer Price Index and salary floors and thresholds increases of scale increase plus 0.4 per cent for the second year. The agreement is effective May 1, 2002 to April 30, 2004.

Scholarly Publishing Gains Momentum

The academic community has a new, affordable, alternative to costly commercial publishers. ICAAP, the International Consortium for the Advancement of Academic Publications, is a non-profit electronic journal publishing house working out of Athabasca University. ICAAP has a large collection of academic literature available free to anyone wishing to access it. The consortium also provides developing nations with technology to develop, publish, and access academic research and literature. The ICAAP collection, and more information about the consortium, can be found at www.icaap.org.

Homework!

Who Gets Home First?

Penelope and Ulysses like to have a bit of exercise each morning. They set off at exactly the same time in the morning, and run or walk the same circuit. Both run at exactly the same speed, and both walk at exactly the same speed. However, they do not remain together. Penelope runs for half the time that she is out, and walks for the other half of the time. Ulysses runs for half the distance and walks for the other half of the distance. The first one returning to the house has to start the coffee. Who starts the coffee?

Homework!, a regular feature of the *Bulletin*, comes to readers compliments of Edward Barbeau, professor of mathematics at the University of Toronto. Answer on page B1.

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Canada Hosts Higher Education Conference

CANADA hosted the third Education International conference on higher education and research in March. Thirty-seven national associations from 27 countries attended the three-day meeting sponsored by the Fédération québécoise des professeurs et professeurs d'université, the Centrale des syndicats du Québec, the Fédération nationale des enseignantes et enseignants du Québec and CAUT.

El president Mary Hatwood Furtell opened the conference with comments on the challenges facing education as a result of globalization, linking her remarks to EI's commitment and policies for widening access to education at all levels, and promoting the needs and interests of education in developing countries. She also praised CAUT's work in drawing attention to the potential dangerous impacts for education of the General Agreement on Trade in Services negotiations in Geneva.

Delegates heard presentations from representatives of UNESCO, the International Labour Organization, and the World Bank, and reaffirmed EI's view that education, including higher education, is a public good. They emphasized the need to resist efforts by global policy-making agencies to liberalize, privatize or commercialize education.

Concerns about commercialization of education were raised throughout the conference — including greater reliance on private funding, government policies that make researchers dependent on private "partners," accountability measures that link post-secondary education to economic outcomes, and a growing emphasis on funding research that has short-term commercial potential.

Delegates also conveyed concerns on the tendency of higher education employers to claim the



CAUT-IFUT agreement (from left) — Daitin O Ceallaigh, general secretary of the Irish Federation of University Teachers, CAUT president Tom Booth, IFUT president Patrick Burke & CAUT executive director Jim Turk take advantage of a break at the EI conference to sign the reciprocal membership agreement approved by CAUT Council in April 2001.

intellectual property rights of their academic staff. CAUT president Tom Booth described this not only as unjust, but as a short-sighted policy that, together with a lack of support for basic research, will erode the capacity and incentives essential for innovative independent research.

CAUT's study on the impact of GATS was the subject of a plenary session in which representatives from national unions in Australia, the Ivory Coast and the United Kingdom commented on how GATS can affect their countries' educational systems.

Mary Burgan, general secretary of the American Association of University Professors, talked about the impact of Sept. 11 and stressed the importance of a renewed commitment to academic freedom in these times.

Delegates unanimously passed a resolution criticizing the actions of Canadian authorities who denied visas to delegates from Guinea and the Ivory Coast. Intervention by CAUT and FQPPU resulted in the Canadian consulate making a last minute change to allow

members and disseminated by an increasingly concentrated global, corporate mass media.

Delegates from the U.S., Canada, the U.K. and other countries evaluated the impact of university administrators' increasing use of part-time and other contract academic staff. "Not only are these positions inferior to tenured staff, in respect to accumulation of rights to tenure, access to office space, holiday entitlements, or opportunities to undertake research to further their own careers," said Paul Bennett, national official from the U.K.'s National Association of Teachers of Further and Higher Education, "contract staff may face different legal, employment and trade union rights from permanent staff."

Delegates unanimously passed a resolution criticizing the actions of Canadian authorities who denied visas to delegates from Guinea and the Ivory Coast. Intervention by CAUT and FQPPU resulted in the Canadian consulate making a last minute change to allow

leaders of the Ivory Coast higher education union to attend, but the delegation from Guinea was unable to travel to Canada.

Delegates also passed a resolution supporting the Spanish unions' efforts (including two days of general strikes) to reverse the Organic Universities Law enacted last December by Spain's parliament despite opposition from the country's rectors, students, administrators and unions. The law takes away democratic processes for the internal working of universities, replaces the collegial governance process with one of individual decision-making, permits political interference in university autonomy, and supports the creation of private universities without the restrictions applicable to public universities.

The next higher education and research conference will be organized in the Africa region. It was urged to maximize the opportunity to assist in long-term capacity building for higher education and research unions in Africa and the southern regions of EI. ■

La loi 28 devant la Cour suprême de la C.-B.

Suite de la PAGE A1

Jim Turk, directeur général de l'ACPPU, a déclaré que son association solliciterait le statut d'intervenant dans la contestation fondée sur la *Charte* en raison des répercussions nationales du projet de loi 28.

« Le gouvernement pose un geste sans précédent en autorisant des employeurs à décliner les conventions collectives qu'ils ont signées, a affirmé M. Turk. Les associations de professeurs non seulement de la Colombie-Britannique mais aussi du Canada et du monde entier en sont indignés. »

Des associations de professeurs des États-Unis, de la Grande-Bretagne, de l'Australie, de la Nouvelle-Zélande, de l'Irlande et de la Suède ont écrit au premier ministre Campbell pour dénoncer le projet de loi 28.

M. Turk a ajouté que l'ACPPU a déposé une plainte auprès de l'Organisation internationale du travail selon laquelle le gouvernement Campbell a enfreint les conventions internationales, vieilles de plusieurs décennies, sur la liberté d'association et la protection du droit d'association, de la négociation collective et des relations de travail dans le secteur public.

Dans une lettre adressée à tous les directeurs de collèges de la Colombie-Britannique et rendue publique le mois dernier, l'ACPPU a prévenu qu'elle conseillerait à tous les enseignants de ne pas accepter de poste dans un collège où le projet de loi 28 a servi à contreviendre à la convention collective.

« Ces collèges feront face à de graves problèmes en raison de la pénurie de professeurs immédiatement, a déclaré M. Turk. Ils recruteront et conserveront des personnes qualifiées plus difficilement. ■

Audiences de Winnipeg : On demande plus d'efforts des universités

LES universités et les collèges du Canada doivent en faire plus pour susciter la participation des groupes défavorisés ont soutenu des participants lors d'audiences publiques organisées par l'ACPPU le mois dernier à Winnipeg.

Rob Marriott, un étudiant mœurs et coordonnateur du collectif des lesbiennes, des homosexuels, des bisexuels et des non-conformistes sexuels de l'Université de Winnipeg, a décrit les difficultés auxquelles se heurtent les étudiants autochtones.

« Les peuples autochtones font face à bien des choses différentes à l'université, a-t-il expliqué, notamment le racisme, le choc culturel et le fait d'être considérés comme les « spécialistes » des questions autochtones parce qu'ils sont les seuls autochtones de la classe ».

Il a ajouté que l'aide financière insuffisante demeure le problème le plus grave des étudiants autochtones.

« L'éducation est un droit décluant des traités des peuples des Premières nations, mais le gouvernement fédéral ne respecte pas ses responsabilités. Les listes d'attente

sont longues pour l'aide financière. »

Barry Hammond, du centre de pédagogie Grove Street, à Winnipeg, a suggéré plusieurs façons permettant aux universités de mieux assurer la réussite des étudiants autochtones.

« Il faudrait équilibrer les frais de scolarité en fonction du revenu social des collectivités dont sont issus les étudiants », a recommandé M. Hammond. « Il faudrait aussi concevoir de plus petits campus puisque peu d'autochtones peuvent réussir dans un milieu comptant plus de 20 000 autres apprenants. Bien entendu, il faudrait diversifier le personnel pour qu'il représente mieux les autochtones et d'autres groupes minoritaires. »

Amanda Aziz et Lisa Stepnuk, de Womyn's Centre de l'Université du Manitoba, ont déclaré que des inégalités persistaient même si plus de femmes qu'avant fréquentent les universités et les collèges.

« Le Manitoba détient le record des décrochages du secondaire au pays », a souligné Mme Aziz. « Nombre de ces jeunes femmes sont mères et une grande proportion est autochtone. Si ces femmes abandon-

pent l'école secondaire, la plupart ne réussiront jamais à se rendre au collège ou à l'université. »

« Quant à celles qui réussissent à le faire, elles doivent également supporter une atmosphère systématiquement sexiste et restrictive », a déclaré Mme Stepnuk.

« Les professeurs et les doyens masculins sont majoritaires dans la plupart des départements. L'instruction que nous recevons est presque entièrement d'un point de vue masculin. De plus, la grande majorité des membres du corps professoral sont blancs, ce qui ne fait qu'aggraver les problèmes. »

Des portes fermées

Larissa Ashdown, présidente de l'association étudiante de l'Université de Winnipeg, a fait valoir que des frais de scolarité plus élevés ferment les portes de l'enseignement postsecondaire à de nombreux étudiants qualifiés.

« Des données récentes laissent entendre qu'il existe un lien direct entre le financement et l'accès. Nous soupçonnons aussi que les taux de décrochage des établissements d'enseignement post-

secondaire sont élevés et inquiétants, ce qui est en grande partie attribuable au fardeau financier excessif que doivent porter les étudiants et leur famille. »

Des représentants des associations de professeurs des universités de Saint-Boniface, de Winnipeg et du Manitoba ont également participé aux audiences.

Ranjan Roy, président de l'association des professeurs de l'Université du Manitoba, a déclaré que les universités canadiennes, encouragées par les gouvernements, étaient en train de modifier les priorités en s'écartant des programmes traditionnels d'arts libéraux pour se rapprocher de programmes davantage axés sur le marché, par exemple les sciences informatiques et l'administration des affaires.

« Depuis quelques années, l'embauche à mon université a suivi le rythme, et l'a même dépassé, des démissions et des départs à la retraite des collègues. La faculté des arts a toutefois accusé une perte nette car les départements d'anglais, de français, d'espagnol, d'italien, d'histoire, de psychologie et de sociologie ont

subi des coupes sombres. Dernièrement, la somme de 800 000 \$, puisée dans le budget de la faculté des arts, a été versée au fonds d'initiatives stratégiques dont l'administration a la maîtrise et qui sert à financer des programmes plus lucratifs et plus en vue. »

Des représentants d'un certain nombre d'organismes communautaires ont assisté aux audiences et ont recommandé aux universités et aux collèges de tisser de meilleurs liens avec la collectivité locale.

« En tant qu'établissements d'enseignement, les universités ne sont tout simplement pas pertinentes pour la collectivité avec laquelle je travaille » a déclaré Marty Dolin, directeur général du Conseil multiconfessionnel d'aide à l'établissement des immigrants au Manitoba. « Les membres de la collectivité estiment que les universités sont isolées et ne sont pas pertinentes pour la communauté autochtone, les communautés ethniques canadiennes et la classe ouvrière parce qu'elles ne leur sont pas accessibles. ■

Quick Reviews



Missing Pieces III: An Alternative Guide to Canadian Post- Secondary Education

Denise Doherty-Delorme & Erika Shaker, eds.
Ottawa: Canadian Centre for Policy Alternatives,
2002; 150 pp; paper \$19.95 ca.

For the third year in a row, *Missing Pieces* examines the state of higher education in each province and provides an analysis of trends, priorities and policies taking place in universities across the country. How much access do students have to faculty? How has lack of government funding contributed to corporate dollars and corporate influence in education? What is the state of academic freedom on university and college campuses? To what extent are governments committed to keeping tuition fees affordable and education accessible? This report is compulsory reading for anyone interested in the debates on higher education and how they are affecting the quality, accessibility, equity and public accountability of our educational institutions.



Water Wars: Privatization, Pollution and Profit

Vandana Shiva. Cambridge, Massachusetts: South End Press, 2002; 158 pp; hardcover \$40 us, paper \$14 us.

In *Water Wars*, Vandana Shiva uses her remarkable knowledge of science and society to analyze the historical erosion of communal water rights. Examining the international water trade, damming, mining, and aquafarming, Shiva exposes the destruction of the earth and the disenfranchisement of the world's poor as they are stripped of rights to a precious common resource. While draught and desertification are intensifying around the world, corporations are aggressively converting free-flowing water into bottled profits. The water wars of the twenty-first century may match — or even surpass — the oil wars of the twentieth. *Water Wars* shines a light on activists who are fighting corporate maneuvers to convert this life-sustaining resource into more gold for the elites, calls for a movement to preserve water access for all, and offers a blueprint for global resistance based on examples of successful campaigns.



Stories of the Courage to Teach: Honouring the Teacher's Heart

Sam M. Intrator, ed. Toronto: John Wiley & Sons, 2002; 326 pp; paper \$35.95 ca.

Stories of the Courage to Teach is a collection of short essays from teachers at every level of practice. Anecdotal and personal, these stories are filled with inspiration and practical depictions of how classrooms can be transformed into enlivened environments where children can learn and succeed. Teachers are drawn to education by an ethic of service and a mission to make a difference in the world. This book honours teachers who, despite all the obstacles they face, still try to improve schools in an educational system that has seemingly turned against them. Grouped into sections on sustaining emotional balance, connecting with students, and seeking reflection to educational systems, these recollections of teachers will provide hope to any teacher who is currently struggling to find the courage to teach.

Quick Reviews produced from information supplied by publishers.



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CANADA BOOK DAY

Issue Draws Diversity of Opinions

Academic Freedom and the Inclusive University

Sharon E. Kahn & Denis Pavlich, eds. Vancouver: UBC Press, 2000; 192 pp; hardcover \$75 ca.

By ANVER SALOOJEE

Academic Freedom and the Inclusive University evolved from a national conference held in April 1997 at the University of British Columbia. The conference was sponsored by UBC's president, the Alma Mater Society, the Graduate Student Society and the faculty association. The book contains 17 articles, divided into four parts: Clarifying Concepts in Ideology, Language and Law, The Changing Culture, Academic Freedom in Peril, and Theoretical and Practical Challenges to the Inclusive University.

Despite its title, the book seeks to tread the fine line between academic freedom and creating inclusive universities without formally taking a stand. The complexities of the issues are detailed, the debates unfold and readers are left to make up their own minds.

But the articles which comprise the book are uneven. Some are intellectually rigorous, some are provocative, and some use a series of cases while others use a single case study and draw sweeping conclusions based on rather scanty evidence. The strength of the book is that it brings together an array of incredibly diverse views on a highly contentious and politically charged relationship.

There are two principal weaknesses in the book. First, scant attention is paid to pedagogy and creating inclusive teaching and learning environments. Second there are oblique and, on occasion, direct references to responsibility and accountability, but nowhere is it spelled out whose responsibility it is to protect academic freedom and whose responsibility it is to promote inclusive universities. Both of these will be elaborated on below.

In *Academic Freedom* there is something for everyone. All sides of the inclusion/academic freedom debate are explored. The book begins with a lively, rich and textured debate by Stanley Fish who suggests "academic freedom is a way of thought that ... elevates pettiness, boorishness, and irresponsibility to the status of virtue; evacuates morality by making all assertions equivalent and, because equivalent, inconsequential" (p. 3).

Academic freedom for Fish is a political weapon that "invites forceful agendas in, but only on its terms, and refuses to grant legitimacy to the terms within which such agendas define themselves" (p. 7). Given the logic of "reciprocal rights" academic freedom is simultaneously liberal in intent and highly illiberal in action. Thus he says "academic freedom is not a defense against orthodoxy, it is an orthodoxy" (p. 6).

Frederick Schauer, like others in the collection, suggests that despite appearances, inclusiveness and academic freedom are not necessarily in opposition. For Schauer the "privilege" of academic freedom as "exemption or immunity" has a corresponding social obligation and he is concerned that the protection of academic freedom as a right is not "free of social cost" (p. 19).

For Lynn Smith the tie that binds academic freedom and inclusiveness is accountability — making and holding faculty members accountable to students and their colleagues. She does not see academic freedom and inclusiveness as hostile and antagonistic; they are about rights and reciprocal obligations.

She says academic freedom is not an absolute right, that it must be understood in the context of evolving human rights legislation. This, Smith believes, is the intent of the CAUT Policy Statement on Academic Freedom which puts academic freedom in the context of social obligation and accountability: "Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge" (p. 24).

She favours protecting academic freedom and promoting inclusivity though there will be significant challenges in sorting out the tensions between the two. The resolution of the tensions must entail an analysis of why academic freedom has to be protected and why equality must be promoted.

Even the most ardent advocates of academic freedom, over equity and inclusivity, suggest it is a hard won freedom that needs to be protected. The issue is not whether academic freedom is rooted in a philosophical tradition and has emerged from a chequered history. Rather, the issue more frontally is whether the current iteration of academic freedom as enjoyed by faculty in universities in liberal democratic market-based societies needs to be located within a social and political context.

If the answer is yes then the next question is how universities deal with the challenges and tensions generated by the competing values of academic freedom and inclusivity. How do universities reconcile the seemingly irreconcilable? Do we accept the view that academic freedom and inclusivity are reconcilable? Or do we accept the view that the inclusive university and academic freedom are fundamentally incompatible, and that inclusivity is highly corrosive of academic freedom and imperils the latter?

Jennie Hornsby's contribution locates academic freedom within the traditions of classical liberal theory with its focus on individual rights and the primacy of individual rights over group rights. The challenge of inclusivity then is a challenge to individual autonomy and individual freedom. Hornsby asks two critical questions: "Can the principles of diversity and inclusiveness coexist with academic freedom?" (p. 40) and, "What does it mean to talk of academic freedom in a class society with multiple layers of inequality?" (p. 41).

Within a liberal discourse there will invariably be conflict between academic freedom and inclusivity. However, all is not lost. Given that academic freedom does not exist apart from social relations and is, in fact, mediated and determined by institutional and structural arrangements, reconstituting the individual as a "social individual" as a bearer of rights who has obligations, is the basis on which Hornsby reconciles academic freedom and inclusivity.

John Fekete, on the other hand, not only suggests inclusivity and academic freedom are irreconcilable but that the inclusive university should be re-titled the "intrusive university" (p. 78). Once he has redefined the question, Fekete is comfortable suggesting academic freedom is under attack from governments, administrations, from some students and from some faculty. He even chides "sections" of CAUT for seeking to erode that for which it "fought so heroically in the past" (p. 80).

In this argument Fekete is joined by Graham Good who suggests the "categorization of people by race, gender and sexual preference" is a form of new sectarianism that does not create equality. (p. 84) The focus on group rights he says undermines individual rights which are the bedrock of academic freedom. Good argues "The new sectarian emphasis on feel-

ing must be countered by a stronger emphasis on intellectual quest" (p. 93).

On another front, do we accept the premise of York University president Lorna Marsden that university culture is "strongly interior" and that debate within departments and in the senate is the strength of universities? This strength, she advances, is eroded and academic freedom is undercut by the threat of legal action and externally imposed "intrusive measures" in the form of equity and harassment officers. She advocates open debate over state regulation. Allowing harassment officers to take care of conflicts erodes academic freedom and allows "bureaucratic measures, so inimical to the creative freedoms of scholarship, to supersede legitimate and

Issue Draws Diversity of Opinions

From PAGE A10

nonbureaucratic forums such as departmental and senate debates and decision-making." (p. 147)

Alternately, do we accept the premise of another university administrator that universities have a civic responsibility to be inclusive even though being inclusive will bring with it challenges and tensions? Bernard Shapiro asserts: "The special freedoms and privileges enjoyed by university communities are mechanisms that enable them to meet their social responsibilities." (p. 30) He identifies two challenges — first to recognize the positives that can emerge from conflict and social criticism and second to find ways in the face of ever increasing diversity, of sustaining a "secure learning environment for everyone." (p. 34)

Stan Persky asks us to reconsider the position advanced by some that the greatest threat to academic freedom comes from identity politics. He argues the greater long-term threat to academic freedom emanates from the marketplace as universities increasingly engage in entrepreneurial education and become increasingly enmeshed with the corporate sector. By "entrepreneurial education" Persky is referring to "revenue-generating projects that would increase the institution's fiscal independence." (p. 64) He does not extend his argument but it could well include corporate funding of research, corporate funding of chairs and the naming of university buildings after powerful corporate sponsors.

Diane Dyson seeks to draw out the lessons from a case involving a Christian fundamentalist student accusing a professor of harassment. "Liberalism," she suggests "tends to deal with clashing rights by creating a hierarchy of such rights" and universities tend to do so as well. Given such a hierarchy Dyson believes "academic freedom trumps equity issues." (p. 126) She proposes the development of a "new institutional model to address the varying effects of actions." A discussion of "impacts" she holds, "might enlighten the debate on rights" and highlight the importance of "responsibilities." (p. 127)

Marie Fleming suggests that mainstream feminist theory has not adequately addressed the challenges offered by the "experiences of women who do not share the socially and economically privileged backgrounds of the majority of the theorists." (p. 34) She cautions against allowing inclusiveness to degenerate into "debilitating relativism," but she is not prepared to "go so far as our Trent University colleagues who claim an academic 'right to offend.'" The yardstick for measuring a university is the degree to which it produces "inclusive knowledge" which she defines as knowledge "in the interests of all human beings." (p. 128)

Like others, Fleming remarks that the "liberal university has historically excluded certain groups from the production of knowledge." (p. 129) She suggests three avenues to pursue in establishing in-

clusive universities: transformation of institutional structures (the reduction of barriers to full participation by marginalized groups), promotion of a culture of openness, and production of inclusive knowledge. (p. 130)

Jennifer Bankier identifies significant academic values — equity, academic freedom, procedural or substantive fairness, and academic self-governance, and argues that it is a mistake to "ordain a fixed hierarchy of values." (p. 138) She suggests "the tensions and conflicts between academic freedom and equity can be reconciled" because both are "designed to address the reality and the legitimacy of differences among individuals and among social groups." (p. 140)

Dorothy Smith notes that what professors teach is regulated in a variety of ways and by a variety of bodies. Further, the discourse of academic freedom is used in a regulatory sense to "fend off" critiques. Thus to posit an "essential opposition" between academic freedom and the inclusive university suggests the discourse on academic freedom is not about "fending off" criticism per se. It only "seeks to inhibit ... criticism raising issues of racism and sexism, particularly issues originating in students' experiences of departmental practices. The irony lies, of course, in deploying the discourse of academic freedom to repress." (p. 154)

Critiques of racism and sexism ought not to be seen as threatening the foundations of the academy, rather they are "better understood as fully at one with the university's commitment to rational dialogue." (p. 156) A climate of mutual respect, she argues, is the essential prerequisite for a successful academic debate and dialogue.

While the debate in the book is framed in terms of academic freedom and inclusivity, the structure of the debate actually masks what is really occurring — universities are in the midst of a profound social revolution which is prompting a "social order crisis" for them.

As more people from diverse backgrounds enter the academy first as students then as colleagues, they are demanding that the university address its organizational culture, its ways of doing things, how it hires and promotes, how it values scholarship, how it defines knowledge, whose knowledge production is valued and privileged, whose speech is protected, whose ideas are validated and deemed worthy of debate, whose voices are heard and how these voices are legitimated or de-legitimated. It would have been useful to see a contribution that situated the debate in the context of organizational change.

The most glaring omission in the book is that none of the contributors centred their discussion on pedagogy and inclusivity. Despite the varied contributions to the debate none of the contributors defined an inclusive learning environment.

The teaching and learning enterprise is one of the core functions of faculty members in the academy. Thus any discussion of the inclusive university that does not deal with creating inclusive teaching and learning environments is widely off the mark. It is precisely in the teaching and learning environment that students from diverse backgrounds can, on occasion, experience first-hand the tensions between academic freedom and inclusivity. And sometimes they can be a significant party to the creative resolution of those tensions.

A second glaring omission is the identification of responsibility — whose responsibility is it to create inclusive universities? Who is Shapiro referring to when he talks of the university's civic responsibility? Is he referring to the administration and/or the faculty? Who takes responsibility for pursuing Fleming's three avenues to creating the inclusive university? Whose responsibility is it to undertake the transformation of institutional structures? Whose responsibility is it to promote a culture of openness? And who is charged with the production of inclusive knowledge?

It is one thing for Fekete to demand the protection of academic freedom, but who is responsible for its protection? At a micro level whose responsibility is it to nurture and create inclusive teaching and learning environments? There are multiple stakeholders in the university and each faces a unique set of pressures. In a rights-based discourse and in a complaints-driven system, it is the individual's responsibility to protect their rights. This includes the right of a faculty member to protest an infringement of academic freedom and the right of a student to lodge a complaint and request an investigation.

If the academy is committed to simultaneously protecting academic freedom and becoming more inclusive then there has to be a collective will to be proactive in dealing with the tensions that will invariably arise. As with any other process of organizational change, creating the inclusive university will have its detractors and will face pockets of resistance.

Universities are not the entities they were a hundred years ago. They have changed and they will continue to change. In addressing one of the weaknesses of the book, roles will have to be established and responsibilities assigned as universities sort out the relationship between academic freedom and inclusion. The question that is forcing its way to the forefront is whether faculty are prepared to constructively lead the change process or whether we will be bystanders endlessly engaging in debates.

If there is an overarching theme in the book it is that we have a much valued and cherished right. Let's use it wisely to challenge, not debase, to include not exclude, to lead not follow. ■

Anver Saloojee teaches in the department of politics and school of public administration at Ryerson University, and is a member of CAUT's Equity Committee.

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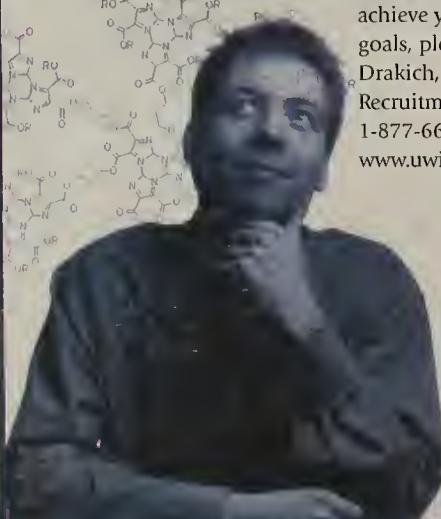
Holger Eichhorn, Ph.D., recently accepted a position in the University of Windsor's chemistry department. A materials chemist with a special interest in nanostructured organic and polymeric materials, he came to Windsor from MIT where he worked on liquid crystals. What motivated the move from MIT to Windsor?

He was impressed by the University's willingness to support his research, which will help shape the future of advanced devices such as organic light emitting diodes, photovoltaic cells, and biosensors. He was also pleasantly surprised by Windsor's international lifestyle, its extensive parks network that presents excellent access to a variety of outdoor pursuits, and the vibrant cultural mix of music, arts, special events and festivals.

But ultimately, and not surprisingly, it came down to *good chemistry*. The collegial atmosphere at Windsor, and the evident respect for diversity of thought and opinion that defines our intellectual landscape, seemed an ideal venue in which to pursue interesting and innovative ideas. That, coupled with our aggressive salary policies and the area's relatively low cost of living, promised exceptional career and lifestyle benefits.

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UNIVERSITY OF
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Saskatchewan Ratifies Collective Agreement

CITING a massive number of retirements in the next decade, the University of Saskatchewan has made a move to attract junior faculty.

A one-year deal between the university and its faculty association ratified in January gives all 900 union members a flat \$2,460 wage increase retroactive to July 1, 2001.

The increase to the salary scales for all ranks favors faculty members with lower wages. The university argued its salaries were more competitive at senior levels than they were at junior levels, and hiring new faculty at the lower end was problematic at a time when all universities are hiring new faculty.

Tim Quigley, chair of the University of Saskatchewan Faculty Association, said the salary proposal was a difficult issue for members but was accepted because of concern about the university's ability to attract junior faculty.

He says the wage increase is in line with other public sector settlements in the province.

"The university wanted to direct additional funds to only those programs that were having the greatest difficulty recruiting," Quigley said. "The flat-rate increase was a compromise to address the problem."

Other changes to the contract include longer paid parental leave (increased from 17 to 21 weeks), removal of employee premiums for the dental plan, a vision care plan, increased professional expense allowance and a flexible hiring policy that will allow departments to start new faculty at higher pay levels within the existing salary structure.

The new agreement expires June 30, 2002. Quigley says the association will begin bargaining almost immediately for a longer term agreement.

Certified in 1977, USFA is celebrating its 25th anniversary as a trade union. ■

Report Links Family with Career Path

BABIES wield a bizarre, gender-dependent power over academics, according to a recent study completed at the University of California at Berkeley.

Researchers found that men who have babies "early" — that is, within five years of receiving a PhD — are somewhat more likely than all others to achieve tenure. But for women, the effect is inverse: those with early babies are far more likely to join the non-tenured, second-tier of lecturers, teaching for less money and fewer benefits.

Women don't gain much by waiting, either. According to the study, the majority of women who achieve tenure have no children in their household at any point after the PhD.

Although the study tracks the post-graduate careers and family structure of almost 34,000 doctorate recipients in the United States, Canadian professor Susan Prentice, co-editor of *The Illusion of Inclusion: Women in Post-Secondary Education*, says the same patterns plague female academics in Canada.

"Many forward-thinking companies are talking about work-family balance, but universities are not doing this," says Prentice, who is an associate professor of sociology — with children — at the University of Manitoba.

She points to the strike last fall at her university, when the professors' union made improved family leaves one of its principal demands. Prentice said the union produced a study showing the university was saving money by replacing professors on family leave with lower-paid sessionals, but the administration was highly resistant to concessions on family leave provisions.

"I think most Canadian universities have not confronted the reality of a changing professoriate,"

she says Prentice.

She points out that female academics in Canada do have some advantages over their American colleagues. Longstanding statutory rights guarantee continued employment and paid time off in the case of maternity leave, whereas similar legislation was only introduced recently in the U.S.

It also appears, says Prentice, that Canadian universities have started to make some efforts to remedy gender disparities. At least 17 universities have already implemented one of the recommendations of the American study: stopping the tenure clock for one year in the case of maternity leave.

But Prentice says these measures "don't necessarily get at some of the structural ways that work and family balance is absent."

The authors of the Berkeley-based study, Mary Ann Mason, dean of the graduate division, and Marc Goulden, research analyst in the graduate division, also cite a need for "structural changes in the workplace." Some of the measures they recommend include better mentoring, providing support to graduate students with children, improving childcare support, stopping the tenure clock at critical junctures and providing re-entry options.

Mason and Goulden's clearest conclusion is that action is warranted. They found that although the number of women earning doctoral degrees rose from 10 per cent to 42 per cent between 1966 and 1998, the proportion of women achieving tenure has not increased since 1975. Only 45 per cent of women PhDs achieve tenure, compared with about 65 per cent of men. ■

Information on the Berkeley study can be obtained at www.berkeley.edu/news/media/releases/2002/02/08_babies.html.

CARRIÈRES

ANTHROPOLOGY

DALHOUSIE UNIVERSITY — Applications are invited from sociologists for a limited term 10 month appointment at the Assistant Professor or Lecturer level, effective September 1st 2002. Candidates must have a Ph.D. and demonstrate the methodologies used in Canadian substantive methodologies, and/or Canadian theory. The candidate will be expected to teach a class in Introductory Sociology. Some opportunity may exist for working with graduate students in the MA and PhD programs. Candidates should possess a Ph.D. or be close to completion of their PhD studies and have experience in university teaching. This appointment is subject to budgetary approval. A letter of application, up to date curriculum vitae, teaching philosophy, professional teaching portfolio, and a letter of reference should be sent to Dr. Victor Thivierge, Chair, Department of Sociology and Social Anthropology, Dalhousie University, Halifax, Nova Scotia, B3H 4P5, fax 902-494-2857. The closing date is April 1, 2002 or until the position is filled. All qualified candidates are encouraged to apply; however, Canadians and permanent residents will be given priority. Dalhousie University is an Employment Equity/Affirmative Action employer. The University encourages applications from qualified Aboriginal people, persons with a disability, newly visible people and women.

ARCHAEOLOGY

SHAW FRASER UNIVERSITY — The Department of Archaeology, Faculty of Arts and the School for Resource and Environmental Management, Faculty of Applied Sciences invite applications for a Tier II Canada Research Chair in First Nations Cultural and Environmental Resource Management, effective September 2002 or September 1, 2003. This appointment will be held jointly between the two departments. Appointment will be as Assistant or Associate Professor, commensurate with experience. A Ph.D. is required. We are interested in candidates who have a strong commitment to First Nations and environmental policy as it relates to resource management and land-use planning. The successful candidate will be expected to bridge academic and research interests between Archaeology and Resource and Environmental Management, and to contribute effectively to both programs. Individuals must show strong potential for research and teaching at the undergraduate and graduate supervision. All qualified candidates are encouraged to apply. Applications will be accepted until April 19, 2002 or until the position is filled. All qualified candidates are encouraged to apply. For more information about Canada Research Chair at www.chncan.ca. This appointment will be contingent on the candidate being approved for a Tier II CRC by the CRC Secretariat. Simon Fraser University is committed to the principle of equity in employment and is an equal opportunity employer. Candidates should send a detailed curriculum vitae as well as a letter of interest outlining specialization areas and experience in research and teaching to Dr. David V. Burley, Chair, Department of Archaeology, Simon Fraser University, Burnaby, B.C., V5A 1S6, burley@sfu.ca.

ART & DESIGN

THE ALBERTA COLLEGE OF ART AND DESIGN

— Visiting Artist — Media art & digital technologies (MADT) — Founded in 1926, the Alberta College of Art & Design (ACAD) is one of only four independent degree-granting art schools in Canada dedicated exclusively to professional visual art and design education. Situated in Calgary, Alberta, ACAD currently invites and applies for the following position commencing in the Fall of 2002. Visiting Artist — one month contract for the 2002/2003 academic year. Applicants should be active, practicing artists with advanced understandings in one or more of the fields of net.art, networked environments, digital media, interactive performance, installation and audio. The successful applicant will have a Masters Degree in a relevant discipline or equivalent experience and an extensive portfolio of excellent technical skills and a work history in media art. The successful applicant will be responsible for teaching a contract load of 18 hours (three courses) per week per semester. Applicants will be expected to deliver instruction at all levels of the undergraduate degree (B.F.A.) including a combination of studio and theory. This is a non-tenure track position. September 2002-April 2003, advertised annually and will not normally be extended beyond the eight month period. Applications: Applications should be submitted to the Chair of the department. A letter of application, the names of three referees, a current curriculum vitae, examples studio or published work, a statement outlining teaching philosophy and practice. Applications should be sent to: Dr. Peter T. Boag, Head, Department of Biology, Queen's University, Kingston, Ontario, Canada K7L 3N6 (Email: biodegradable@queensu.ca, Fax (613) 523-6420). The application period will be closed on April 3, 2002. For more information on the College, please visit our website at www.acad.ca. In accordance with Canadian immigration requirements, this advertisement is addressed in first instance to Canadian citizens and permanent residents. The Alberta College of Art & Design is an equal opportunity employer.

BUSINESS

THE UNIVERSITY OF NEW BRUNSWICK (Saint John) — The Faculty of Business invites applications for tenure-track positions in Accounting, MIS/Production and Operations Management, Hospitality & Tourism, and Marketing. All positions include undergraduate and graduate level teaching and research. Candidates must be willing to participate in our programs in Beijing and Hong Kong. More information about us can be found at <http://www.unbsj.ca/business>. The UNBSJ Faculty of Business has an outstanding reputation for its innovativeness, global perspective, and research excellence. The University of New Brunswick offers undergraduate and graduate degrees at the undergraduate and MBA levels. The faculty also includes Canada's only MBA concentrations in competitive and market intelligence and strategic management and information technology. The faculty also houses one of the first Electronic Commerce Research Centres (ECRC) in North America. The ECRC is a unique partnership between private and public sector organizations and the University. Founding members include: Bell, Canadian Tire, Deloitte & Touche, NBTEL, Scotiabank, DMR, SUN and the Province of New Brunswick. Recently the National Research Council of Canada has committed to establish a research centre at the ECRC. The University and government provide opportunities for innovative, ECRC related research across a variety of disciplines. Further information can be found by reviewing the ECRC's website at <http://www.e-commerce.unbsj.ca>. Highly desirable for non-entry level applicants is

phylogenetic ecology and who will complement the existing plant science group at Queen's. Successful applicants at the assistant professor level may be appointed as a Canada Research Chair (Tier 2) that has been assigned to the Queen's Department of Biology, while more senior applicants may be appointed as a Canada Research Chair (Tier 1) at our department. Candidates should apply to the Department of Biology for details see www.biol.queens.ca/jobs/biojobs.html. The Department of Biology has a superb plant growth facility in the new Biology Complex, and our job market indicates QUBS is strong in support of our teaching and research in the field of aquatic ecosystems (see biology.queens.ca/qubs). Qualifications include a Ph.D., postdoctoral experience and published evidence of excellent research ability. Successful applicants will be expected to demonstrate original, externally funded research programs, and be excellent teachers. Expected date of appointment is January 1, 2003, subject to negotiation. Application deadline is April 1, 2002 or until the position is filled. Applications should be submitted to the Chair of the Department of Biology with the following information: a copy of your curriculum vitae, examples of your work, a statement of current research interests, and three letters of reference should be sent to: Dr. Peter T. Boag, Head, Department of Biology, Queen's University, Kingston, Ontario, Canada K7L 3N6 (Email: biodegradable@queensu.ca, Fax (613) 523-6420). The application period will be closed on April 3, 2002. For more information on the College, please visit our website at www.acad.ca. In accordance with Canadian immigration requirements, this advertisement is addressed in first instance to Canadian citizens and permanent residents. The Alberta College of Art & Design is an equal opportunity employer.

THE UNIVERSITY OF NEW BRUNSWICK (Saint John) — The Faculty of Administration invites applications for two tenure-track positions at the Assistant or Associate Professor level.

The tenure-track appointments will be at the Assistant or Associate Professor level and are scheduled to take effect July 1, 2002. Salary is commensurate with qualifications and experience. The application period will be closed on April 1, 2002. For more information on the position, contact the Chair, Department of Management, The Management area of the Faculty offers BBA and MBA courses in International Business, Strategic Management, Business Law, Business Ethics, Organizational Behavior, Organizational Theory and Design, and is developing the area of Management of Technology. The successful candidate will hold a doctoral degree in Management or a related field, and in the final stage of completion. The Management area of the Faculty of Administration is encouraged to apply. Successful candidates will be able to teach in at least two of the areas listed above, and have research interests in at least one of the areas. Tenure Track in Management Information Systems is available to begin in Fall 2002. The successful candidate will hold a doctoral degree in Management or a related field, or be in the final stages of

completing the dissertation. Successful candidates will be able to teach introductory MIS, distributed record of publication, have research interests in at least one of the areas. Term Appointment Instructor in Business Writing. Applications are invited for a one month term appointment to begin in Fall 2002. The successful candidate will hold a doctoral degree in Business Writing, and will have University-level teaching experience. Applicants should direct inquiries to Dr. Michael J. McLean, Department of Business Administration, University of New Brunswick, PO Box 4400, Fredericton, NB E3B 5A2 Applications for this position will be accepted until June 1, 2002. All qualified candidates are encouraged to apply; however, Canadians and permanent residents will be given priority. Applicants should indicate current citizenship status. The University of New Brunswick is committed to the principle of employment equity.

CANADIAN STUDIES

CARLETON UNIVERSITY — The School of Canadian Studies invites applications for the third annual Chair in the study of the Hudson's Bay Company Visiting Professorship. We are looking for an individual with wide experience of Métis culture, identity and traditions to deliver one term (fall or spring) of courses. This is a three-year term position, with the possibility of renewal. The successful candidate will hold a doctoral degree in Canadian and permanent residents will be considered. The Chair in Canadian Studies is an employment equity position. The successful candidate will be accepted and no position is filled. All qualified candidates are encouraged to apply; however, Canadians and permanent residents will be given priority. Applicants should indicate current citizenship status. The University of New Brunswick is committed to the principle of employment equity.

THE UNIVERSITY OF NEW BRUNSWICK (Fredericton) — The Faculty of Administration invites applications for two tenure-track positions at the Assistant or Associate Professor level.

The tenure-track appointments will be at the Assistant or Associate Professor level and are scheduled to take effect July 1, 2002. Salary is commensurate with qualifications and experience. The application period will be closed on April 1, 2002. For more information on the position, contact the Chair, Department of Management, The Management area of the Faculty offers BBA and MBA courses in International Business, Strategic Management, Business Law, Business Ethics, Organizational Behavior, Organizational Theory and Design, and is developing the area of



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Answer to Homework!

From page A8. Since Penelope runs for half the time, and we can assume that she runs faster than she can walk, she runs for more than half the distance. Thus, she is moving faster for a larger proportion of the distance than Ulysses, and so will cover the ground quicker and be back to start the coffee.

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The University of Western Ontario
Chair/Chief, Department of Surgery

Western



The Faculty of Medicine and Dentistry, The University of Western Ontario, London Health Sciences Centre, and St. Joseph's Health Care London, invite applications for the position of the Richard Ivey Chair and City-Wide Chief for the Department of Surgery.

The University of Western Ontario Department of Surgery includes clinicians, researchers, teachers, and administrators in the Divisions of General Surgery, Urology, Orthopaedics, Plastics, Cardiac Surgery, Thoracic Surgery, Vascular Surgery and Paediatric Surgery. The Department provides secondary, tertiary, and quaternary surgical care in a city of 350,000 with a drawing area of 1.2 million people in Southwest and Northern Ontario. In the process of clinical care, the Department provides teaching and training to undergraduate and postgraduate trainees in medicine and allied health fields. The Department is internationally known for its academic and research excellence. It has a long tradition of research in Urologic Arthropathy, hand and upper limb surgery, sports medicine, and vascular surgery. Physical facilities for basic sciences research are expanding rapidly in the city. City-wide hospital restructuring is well underway and is expected to be completed by 2005. City wide Chief responsibilities include both London Health Sciences Centre and St. Joseph's Health Care London. Importantly, the city of London offers a metropolitan atmosphere in a smaller city, and is an ideal place to live.

The successful candidate must have certification from the Royal College of Physicians and Surgeons of Canada in Surgery and must be eligible for licensure in the Province of Ontario. Details about the Faculty of Medicine & Dentistry can be found at www.uwo.ca; London Health Sciences Centre at www.lhsc.on.ca; and St. Joseph's Health Care London at www.sjhc.london.on.ca.

Interested candidates are asked to submit a CV and letter of application together with names and addresses of three references to:

Dr. Carol P. Herbert
Faculty of Medicine & Dentistry
Health Sciences Addition, Room H111
The University of Western Ontario, London, Ontario N6A 5C1
Fax: (519) 661-3797

Deadline for receipt of applications is June 28, 2002.

The deadline for receipt of applications is **June 26, 2002**.

All qualified candidates are encouraged to apply; however, Canadians and permanent residents will be given priority. Positions are subject to budget approval. The University of Western Ontario is committed to employment equity and welcomes applications from all qualified women and men, including visible minorities, aboriginal people and persons with disabilities. The University of Western Ontario has a defined contribution pension plan.

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OF FORESTRY, THE UNIVERSITY OF BRITISH COLUMBIA**

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The University of British Columbia hires on the basis of merit and is committed to employment equity. We encourage all qualified persons to apply; however, Canadians and permanent residents of Canada will be given priority. Applications should be received by **June 30, 2002** and should include a curriculum vitae, a statement of research interests, evidence of successful teaching or a statement of teaching philosophy, and the names, addresses, phone numbers and e-mail addresses of three referees. Send applications in confidence to:



Dr. Kathy Martin, Search Committee Chair
Department of Forest Sciences, Faculty of Forestry
The University of British Columbia
3041-2424 Main Mall, Vancouver, B.C. V6T 1Z4 Canada
Phone: 604-822-9695; Fax: 604-822-9133
E-mail: kmartin@forestry.ubc.ca

CHAIR, DEPARTMENT OF FOOD SCIENCE
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The Ontario Agricultural College seeks a Chair for a five-year term in the first instance, who will hold a tenured position in the Department. The Department of Food Science applies basic sciences to address strategic issues within the global agri-food industry. As one of North America's leading departments, its strengths include young faculty and state of the art facilities. Current areas of expertise include material science, analytical chemistry, biochemistry, engineering/processing, microbiology and molecular biology. The Department has 15 faculty and 32 total FTE employees. Its annual income is \$16.0M for teaching, and \$5.5M for research. There are currently 23 PhD and 77 MSc students and 100 undergraduates in the BSc Food Science major.

We are seeking an outstanding individual with strong facilitation and people skills, who will actively represent the department, pursue opportunities with external partners and encourage innovation. The incumbent will need to collaborate extensively with producer groups, food processors, the Guelph Food Technology Centre, Agriculture and Agri-Food Canada, Canadian Food Inspection Agency and Ontario Ministry of Agriculture, Food and Rural Affairs. The incumbent will have demonstrated scholarship and experience in teaching and research. The individual selected will have a doctorate or equivalent qualification; applicants may have experience in science, business and/or law.

Applications will be treated in confidence and should include a curriculum vitae and the names and addresses of three persons who may be contacted regarding Dr. Bell's qualifications. Send resume to:

Applications and nominations should be submitted to Dr. Craig J. Pearson, Dean, Ontario Agricultural College, University of Guelph, Guelph, Ontario N1G 2W1, FAX 519-885-1212.

The University of Guelph is committed to an employment equity program that includes special measures to achieve diversity among its faculty and staff. We therefore particularly encourage applications from qualified aboriginal Canadians, persons with disabilities, members of visible minorities, and women.



SAINT BULLETTIN AGGREGATE B2 APRIL 2000

**Report of the
Committee
of Inquiry
into a complaint by
Professor
Michael
Thorpe**

**CAUT Bulletin Insert
Vol 49 No 4**

1 Appointment and Terms of Reference of Committee of Inquiry

By letter dated March 10, 1999, the CAUT Academic Freedom and Tenure Committee appointed the cosigners of this report¹ to look into the complaints of Professor Michael Thorpe² and the Mount Allison Faculty Association (MAFA) concerning the refusal of the university to employ Professor Thorpe as a teacher in the continuing education programme and to award him professor emeritus status.

The terms of reference for the committee of inquiry provided by the CAUT Academic Freedom and Tenure Committee in their letter of March 10, 1999 were as follows:

1. What is the practice at Mount Allison with regard to appointment of retired faculty members to teach occasional courses; specifically, how unusual is it to deny such an appointment to a retired member who has been recommended by his or her department?

2. What is the process of conferring emeritus status at Mount Allison University; specifically, how unusual is it for a senate nominee for emeritus status to be rejected by the board of regents?

3. What is the policy and practice at Mount Allison University with respect to establishment, maintenance, and use of personal files?

4. Did the administration at Mount Allison maintain a secret or extraordinary file on Michael Thorpe while he was in the employ of the university?

5. If so, did the administration rely on this material in its consideration of Professor Thorpe for post-retirement teaching opportunities and emeritus status?

6. In the process of evaluating Professor Thorpe's suitability for post-retirement opportunities and emeritus status, did the administration rely upon allegations that were not properly investigated in accordance with the principles of natural justice?³

2 Committee of Inquiry Findings

Our findings for each of the above questions are as follows:

1. Based on our investigation, we conclude that it was highly unusual to deny an appointment to teach occasional courses in their department to retired faculty members who have been recommended by their department.

2. Based on our investigation, we conclude that, in the past, the process of conferring emeritus status at Mount Allison University involved determining whether a colleague held the rank of full professor and had been employed for 10 years or more as a faculty member. After this determination was made, the conferring of the title was virtually automatic. Specifically, it was unprecedented for a senate nominee for emeritus status to be rejected by the board of regents.

3. Based on our investigation, we conclude that there are at least three different kinds of files which contain information about individual faculty members, and which may be regarded as "personal" files. The first kind of file is the official file, called into being by the collective agreement. The agreement in place at the time of Professor Thorpe's retirement, as well as previous agreements (and the subsequent agreement) all have clauses indicating the nature and the content of the official file. These files are for evaluative purposes, and contain material relevant to tenure and promotion, and such other review processes as may take place from time to time. The second kind of file is a personnel file in which material related to salary and pension is kept. The third kind of file is best described as unofficial. Miscellaneous files appear to be kept on an ad-hoc basis by administrators (deans, department heads, vice-presidents, etc.) into which assorted and unspecified material may be placed. After retirement, files are archived, apparently without regard to whether the material had "official" or "unofficial" status while the academic staff member was employed at Mount Allison University.⁴

4. Based on our investigation, we are unable to establish whether an extraordinary file was kept on Professor Thorpe while he was in the employ of the university. We know only that members of the senior administration appear to have relied on inaccurate information in trying to justify their actions against Professor Thorpe.

5. Based on our investigation, we do not know if the administration used an extraordinary file on Professor Thorpe. We believe, however, that they relied on material or information that, for the most part, was not in his official file while he was employed at Mount Allison University.

6. Based on our investigation, we find that, in the process of evaluating Professor Thorpe's suitability for post-retirement opportunities and emeritus status, the administration relied upon allegations that were not properly investigated in accordance with the principles of natural justice (see endnote #3).

7. Based on our findings, the committee of inquiry offers the following advice to the Academic Freedom and Tenure Committee. That all steps should be taken to ensure that Professor Thorpe be awarded professor emeritus status and that he receives fair consideration in any subsequent applications he makes for a teaching position at Mount Allison University.

How we came to these conclusions is detailed in the rest of this report.

3 On-Site Visits to Mount Allison

We traveled to Mount Allison University on Sept. 19, 1999 for a five-day on-site visit, which ended on the afternoon of Sept. 25, 1999. We returned to Mount Allison University on Nov. 23, 1999 for a further three-day visit.

a) MAFA Submissions and Other Documentation

In anticipation of our first visit, the CAUT Academic Freedom and Tenure Committee provided us with extensive documentation of the case, a compilation that included letters, newspaper clippings and other relevant material. We also received significant supplementary documentation from the faculty association as well as from Professor Thorpe and from many of the people with whom we spoke. The material so gathered included the collective agreements between Mount Allison University and Mount Allison Faculty Association for 1995-1998 and for 1998-2001, a current university calendar, minutes from various university committees, from the senate and from the board of regents, letters to and from faculty members to the administration and to the newspapers, letters from administrators to faculty members and to the newspapers, a copy of the student newspaper, *The Argosy*, reporting on the CAUT Committee of Inquiry, other newspaper articles, several arbitration decisions adjudicating disputes between Mount Allison University and Mount Allison Faculty Association, and a report from Dr. Fred Wilson, professor of philosophy, University of Toronto, entitled "Inquiry into Governance at Mount Allison University" (October 1997). The process of gathering documents continued during our second visit.

b) Interviews

Several weeks before we arrived for our first visit, we submitted to MAFA a list of persons we wished to interview. It was our intention to proceed by both interview and archival examination. We likewise set up interviews for our second visit and brought our archival work to completion.

i) Administrative Non-Participation. Efforts by MAFA at the time of our first visit to arrange interviews with the person chairing the board, the president of the university, the vice-president (academic), the vice-president (administration), the dean of arts and the director of continuing education were unsuccessful. By letter dated Sept. 13, 1999 to the faculty association, Mr. David Stewart, vice-president (administration), referred all inquiries relating to our investigation to Ms. Freya Kristjanson, a Toronto lawyer, "retained to represent the University and Bill Driedzic" [who was, at the time of our investigation, no longer employed at Mount Allison University].

We tried to arrange meetings with senior administration and J.J. Keith, the chair of the board of regents in anticipation of our second visit.⁵ These efforts were as unsuccessful as the efforts of the Mount Allison Faculty Association at the time of our first visit. We received a response from Mr. Keith in which one of the reasons given for his refusal to meet with us is that we were "hired" by CAUT.⁶ On Dec. 29, 1999, Mr. Keith again wrote to us apologizing for his misuse of the word "hired".

On Nov. 29, 1999, Professor Schrank wrote to Ms. Freya Kristjanson, requesting four pieces of informa-

tion: (1) copies of the form(s) used by the administration in 1995, 1997, 1998 and 1999 to appoint persons to teach courses for the department of continuing and distance education; (2) copies of all the documents on which Dr. Driedzic relied in writing his letter of April 7, 1998 to Professor Thorpe; (3) copies of the handbook given to newly-appointed members of the board of regents of Mount Allison University; and (4) copies of any payroll records that indicate that Professor Thorpe received a salary while on strike. She replied by letter and fax on Dec. 23, 1999: "We are of the view that your Committee lacks jurisdiction to inquire into these matters."

In any event, in spite of the regrettable absence of information from the administration, an abundance of information was made available to us from other sources, sufficient in our view to establish the facts of the matter.

ii) Participation of Faculty, Students and Former Administrators at Mount Allison. MAFA was successful in arranging interviews with former administrators of Mount Allison University both in Sackville and elsewhere, as well as with Professor Thorpe, his colleagues and students, and other interested parties. In all, we conducted 33 interviews with 40 persons.⁷ During our first and second visits, through the use of the interview format, we were able to talk to a comprehensive cross-section of the university community, including former students and former colleagues of Professor Thorpe. We have, it is worth noting, benefited from the fact that many administrators at Mount Allison either return to the ranks and to the bargaining unit, or, occasionally, accept positions at other universities in Atlantic Canada. A number of former administrators of Mount Allison University (both on and off campus) provided us with information and their insights concerning the matters which had brought us to Mount Allison.

4 The Broader Context of the Complaint

It is clear that there are two overlapping narratives within the Thorpe complaint: (1) the story of Professor Thorpe and his relationship with the administration of Mount Allison University, which is the immediate subject of our inquiry, and (2) the story of the administration of Mount Allison University and its relationship to faculty, and to the faculty union, a story which helps us to understand what happened to Professor Thorpe.

Nearly every person we interviewed characterized the relationship between the administration and the faculty at Mount Allison University as being strained.⁸ Persistent reference was made to the two faculty strikes, both of which have occurred during the tenure of the present president, the second in 1999, both of which were strongly supported by faculty. At the time of the first MAFA strike, Professor Thorpe wrote to the local press voicing strong support for the faculty, and he also had a lead article on the strike in the CAUT *Bulletin*, "What Maclean's Did Not See at Mount Allison University,"⁹ a reprint of an article published earlier in a local paper, the New Brunswick *Telegraph Journal* (Jan. 24, 1995). In this article, Professor Thorpe urges the board of regents not to reappoint Ian Newbould to a second term because, in Professor Thorpe's view, Dr. Newbould was largely responsible for the distressed state of faculty-administration relations as evidenced by the acrimonious MAFA strike.

Various people with whom we spoke also mentioned the staff strike which, likewise, was supported by faculty. Professor Thorpe, it should be noted, like many of his colleagues, strongly supported the staff during what proved to be a long and bitter strike.¹⁰ Professor Thorpe was retired by the time of the second faculty strike. He nevertheless supported that strike too, encouraging those walking the picket lines and making donations of food to strike headquarters. For many with whom we spoke, the occurrence of three strikes in less than a decade was taken as strong evidence of the intransigence if not outright hostility by senior administration toward faculty and staff.

Several of the people we interviewed also alerted us to a controversy surrounding the appointment of an acting director of research in which Professor Thorpe played a role when the matter crystallized into a vote

of non-confidence in the president of the university. Without going into great detail, we note that there was general faculty dissatisfaction with the role played by the administration in the selection process for the position of acting director of research. A faculty member, who was coincidentally president of the faculty association was the unanimous choice of the research committee. Despite the recommendation of that committee, the president of the university declined to make the appointment, holding that there might be a conflict of interest were a president of MAFA to hold the position.¹¹

It seems clear from our interviews that many faculty were distressed by the actions of the president of the university. A motion of non-confidence in the president was put to faculty council¹² on March 9, 1993 (moved by A. Motyer, a former head of the department of English, a former director of drama, and a former vice-president (academic), seconded by C.H.H. Scobie).¹³ Professor Motyer made a lengthy opening statement outlining his reasons for making the motion.

That motion reads as follows:

Whereas Mount Allison's current President, Dr. Ian Newbould, continues to ignore those duly constituted structures which exist within the University to protect and promote academic freedom, scholarship and research; and whereas Mount Allison's current President has, in the particular matter of the Research Office, acted unilaterally to eliminate it in its present form, consulting neither the Acting Director of Research, nor the Research Committee, nor the Faculty Council, nor the University Senate; the academic staff of Mount Allison declares it has no confidence in this current President as the academic leader of our community.

Various faculty members spoke in favour of the motion, including Professor Thorpe, who is reported in the minutes of faculty council as stating:

He [Thorpe] noted that when the President met belatedly with the Research Committee on the matter of the restructuring, Dr. Newbould stated unequivocally that it would be unwise to ask for people's opinions first because they would resist. His mode of operation is to play with his cards close to his chest, and pre-empt any opposition. This is surely not collegiality? (minutes of faculty council, March 9, 1993, p. 5)

Professor Thorpe's statement could hardly be construed as supportive of the administrative style of the president. The motion of non-confidence passed by a vote of 50 in favour, 16 against, with one abstention.

The strained relationship between faculty and the senior administration revealed in part by the support for the non-confidence vote as well as by two faculty strikes (along with Professor Thorpe's role in these events) forms the backdrop to the Thorpe case.

5 A History of Michael Thorpe's Employment Relationship with Mount Allison University

a) Thorpe's Academic Career

Michael Thorpe was hired into the department of English at Mount Allison University with the rank of professor and head in 1974. He came to this post from a position in the department of English at the University of Calgary, where he was first an associate professor (1970-1973) and then a full professor (1973). Before coming to Canada, Professor Thorpe had served as a lecturer at Nanyang University in Singapore and then as lecturer and senior lecturer at the University of Leiden, in the Netherlands. In other words, at the time of his retirement, he had been teaching English at university level for well more than 30 years.

His areas of special interest are the Victorian and early modern periods, contemporary British and post-colonial literatures as well as Canadian literature. He has published very widely. His work includes critical books on Siegfried Sassoon, Doris Lessing, Matthew Arnold, Arthur Clough and Edmund Blunden. He has authored three pamphlets for the British Council series "Writers and Their Work" on Doris Lessing, V.S. Naipaul and John Fowles. He has published eight volumes of poetry. He has written more than 60 articles and chapters on subjects that range from the work of the Czech-Canadian novelist Joseph Skvorecky to the novels of Iris Murdoch and Thomas Hardy. He has produced more than 150 reviews of contemporary fiction, and authored a great many individual poems. Clearly, Michael Thorpe is an accomplished and productive scholar and poet. He has also written a large number of polemical letters and articles concerning Mount Allison University affairs to local and provincial news-

papers as well as to the CAUT *Bulletin*. About these we will have more to say below.

Reports from former students and colleagues make it clear that Professor Thorpe was an exciting, demanding teacher. He was not, we were told, a crowd pleaser. What he offered students, according to one former student, were "intellectual and visceral conduits" to such politically engaged writers as Yeats and Kundera. He taught with conviction, and projected an urgent understanding of the interrelationship between literature and the environment, particularly the political environment.

Although hired at the rank of full professor and head of the English department (a position which he held, for the first time, from 1974-1977), Professor Thorpe did not come to Mount Allison with tenure. We have been informed that Professor Thorpe's tenure application was complicated by problems he encountered trying to administer the English department. There were serious differences of opinion over the importance of scholarly activity. The department also split into factions on how to deal with a particularly fractious and difficult colleague. When the department considered Professor Thorpe for tenure, it could not reach a consensus. In the end, the then president awarded him tenure by what appeared to Professor Thorpe to be fiat.

b) Thorpe's Second Term as Head of the Department of English

Whatever difficulties he encountered during his first stint as head of the English department, those difficulties did not prevent Professor Thorpe from being offered and assuming the headship at a later date since he again served as head of the department from 1988-1993. Two matters of consequence arose during his second headship which negatively affected his relations with his colleagues in the department.

i) **The proposed course in children's literature.** The first issue of contention concerned a course in children's literature. Professor Thorpe's wife, Elga Elgaard, had taught courses in children's literature over a period of four or five years on a per course basis in continuing education for the education department and the Canadian studies programme.¹⁴ When the education department decided not to offer a course in children's literature again, Professor Thorpe felt the course was not secure within the Canadian studies programme alone, and so proposed that the course be offered in future for an English credit. It was suggested to us that some members of the department perceived Professor Thorpe's support for an English department course in children's literature to be clouded by his interest in finding his wife a more permanent university teaching post. Professor Thorpe contends that there was no guarantee, had the course been approved, that his wife would have taught it; he also points out that it would still have been offered only in the continuing education programme. No 'permanent' position would have been involved, only part-time work. In any event, the majority of the department argued that the proposed course lacked academic validity and decided that it did not wish to offer it. Here the matter ended, but, it would appear, with a certain degree of lingering acrimony, at least from Professor Thorpe's perspective.

ii) **The one year appointment.** According to Professor Thorpe, the catalyst for his resignation from his second term as head concerned the handling of an application for a one year appointment in the department of English. The application of the candidate who was actually appointed was late, and the choice was, in Professor Thorpe's opinion, a poor one. The department head, we were told, turned down this applicant for a tenure track position on previous occasions. In Professor Thorpe's view, this appointment was made to satisfy the wishes of senior administration, who wanted to compensate the candidate for having been unable earlier to obtain an administrative position within the university. The handling of this matter appeared to demonstrate to Professor Thorpe that the department could be made to yield to pressure from the administration.

The difficulties surrounding Professor Thorpe's second term as head should not obscure the recognition given by the university to his scholarly accomplishment. In 1990, the executive committee of the board of regents approved Professor Thorpe's appointment to the prestigious Joseph Allison Chair of English Language and Literature.

c) Post-Headship Controversies

i) **The writer-in-residence.** Another matter which affected Professor Thorpe's relationship with his colleagues as well as with the administration concerned the failure of the university to appoint his wife to the position of writer-in-residence. Ms. Elgaard's appointment had been recommended by the head, Dr. Carrie MacMillan (Professor Thorpe's successor), supported by the department and approved by the dean. The appointment did not take place. We were told that one of the reasons offered by the senior administration for its actions in not appointing Ms. Elgaard was that the position was not properly advertised. We were also told that the new vice-president (academic), Dr. Louis Visentin, regarded the appointment as a form of nepotism. This matter became, in February 1995, the subject of a complaint before the Human Rights Commission of New Brunswick. In that complaint, we have been told, Ms. Elgaard, Professor Thorpe's wife, alleges that she was denied the position of writer-in-residence because of her marital status.

In 1998, the case went to the Court of Queen's Bench in Fredericton. In December 1999, the court ruled in Ms. Elgaard's favour. In early February 2000, David Stewart, vice-president (administration) announced that the university would be appealing that decision.¹⁵ That appeal was rejected in May 2000. We have been advised that in October 2000, several days before the case was to be heard by a tribunal appointed by the New Brunswick Ministry of Labour, it was concluded by confidential agreement between the parties.

Professor Thorpe's irritation with his colleagues over the writer-in-residence affair at the time appears to be based on his belief that his departmental colleagues were not sufficiently outraged by the apparent interference of senior administration in departmental matters. The writer-in-residence matter provided one more reason for Professor Thorpe's alienation from the life of the department.

ii) **The director of the Canadian studies programme.** Another matter which engaged Professor Thorpe's interest concerned an internal appointment for the position of director of the Canadian studies programme and the Centre for Canadian Studies for a three-year period, beginning in February 1995. On Jan. 13, 1995, Professor Thorpe nominated Dr. William Godfrey of the department of history to serve as director of the Canadian studies programme. Dr. Godfrey was a senior professor with administrative experience, having served a term as dean of the faculty of arts; he had also been a candidate for the presidency of Mount Allison University in 1990 in the same search from which Ian Newbould emerged as the successful candidate for president. We have been told that Dr. Godfrey was the candidate with the greatest faculty support.

Several days before nominations closed (Jan. 30, 1995), Professor Thorpe wrote to the then vice-president (academic) Visentin to complain that nominations were being received from students, although the announcement for the position indicated that nominations were to be solicited from colleagues. It seems fair to infer from Professor Thorpe's concern that he feared a variation of the difficulties surrounding the appointment of the acting director of research.

Professor Thorpe then went on to suggest to vice-president Visentin that he seek input from faculty, especially those associated with the Canadian studies programme. The next day (Jan. 27, 1995), having read a report of an interview with the vice-president in the student newspaper, Professor Thorpe wrote to those colleagues associated with the Canadian studies programme highlighting those remarks of the vice-president which Professor Thorpe regarded as prejudicial to Dr. Godfrey.

When the vice-president solicited opinion on the suitability of the candidates for the position of director of Canadian studies, Professor Thorpe responded with an explanation of his support for Dr. Godfrey. In Professor Thorpe's view, Dr. Godfrey "is clearly the most appropriate candidate of the three, inevitably standing out beside people who are junior to him, inexperienced in administration, and who have not yet held a tenurable position. He has the requisite scholarly record and reputation internally and externally; as an administrator he would command widespread respect and trust among the faculty including the Associates [of Canadian Studies]" (memorandum to L. Visentin from Michael Thorpe dated April 12, 1995).

The longest section of Thorpe's memorandum is, however, devoted to a critique of the process used by the vice-president for making the appointment, and in particular to what Professor Thorpe saw as his apparent bias against Dr. Godfrey. The day after this memorandum was sent, on April 13, 1995, a letter, signed by eight faculty and librarians including Professor Thorpe, was forwarded to president Newbould.¹⁶ The letter takes up the same procedural problems that Professor Thorpe had written about in his memoranda to vice-president Visentin. There is reference to the article in the student newspaper, and to the denigration of "55 year old professors" (*Argosy* Jan. 26, 1995, p. 6), which the signatories took to be a not too subtle attack on Dr. Godfrey, who was 53 at the time and the eldest of the three candidates.

In response to their group letter to the president, Professor Thorpe (apparently alone) received a letter from president Newbould dated April 17, 1995. The president identifies the letter, signed by eight faculty and librarians, as "your [Thorpe's] letter." The president's letter, among other points, takes up the following:

1. he notes that Professor Thorpe has raised procedural concerns as well as concerns of bias, which he dismisses on the following grounds: "An allegation of bias is a serious charge which requires substantial and sound evidence. I would have thought that 'evidence' from The Argosy scarcely meets such a test";

2. he brings up a difficulty Professor Thorpe encountered with an application Professor Thorpe had made some time previously to the Marjorie Young Belf Faculty Fund Committee for a travel grant;

3. he attributes prime motivation for the group letter to Professor Thorpe: "you wonder the halls attempting to get others to sign this latest diatribe";

4. he advises Professor Thorpe to "concentrate on [his] academic duties until [he] can produce something a little more informed than this latest letter";

5. he defends the vice-president: "Dr. Visentin has a distinguished and full set of academic credentials, an equally distinguished record of academic and administrative experience and a long standing commitment to matters Canadian";

6. he attacks Professor Thorpe: "Against that, your in-temperate, self-serving, rude and personal attacks do little to serve the best interests of Mount Allison and its students"; and,

7. he concludes by assuring Professor Thorpe "that the appointment process for a Director of Canadian Studies shall be conducted with the utmost propriety, care and attention."

Despite these assurances, the president's letter does not actually address the specific concerns raised by the eight signatories. Even if the vice-president were misquoted in his interview in the student newspaper about "55 year old professors," and it is not clear from what the president says that Dr. Visentin was misquoted, the fact is that a statement denigrating professors of a certain age appeared in *The Argosy*. It is not unreasonable, in such circumstances, for the professoriate to raise questions about that interview and what it suggested in relation to the appointment of the director of Canadian studies, especially since one candidate was two years shy of being a "55 year old professor." That those questions should produce such an apparently hostile response from the president, directed primarily at Professor Thorpe, suggests that the president regarded Professor Thorpe as one of his primary antagonists.

Because he believed that he alone amongst the eight signatories had received a reply from the president (and Professor Thorpe appears to be correct in this supposition), Professor Thorpe responded to the president a day later (April 18, 1995) taking up those "points that especially concern me," and Professor Thorpe provides a comprehensive rebuttal to the matters the president's letter raises.

1. In relation to the interview in *The Argosy*, Professor Thorpe writes that "if the Vice-President did not consider that [venue] valid he should not have given an interview."

2. With regard to student participation, Professor Thorpe reiterates that the notice inviting applications specifically invited nominations from colleagues, "not a term that customarily includes students."

3. Professor Thorpe provides an explanation for the difficulty in relation to his application for travel funds.

4. Professor Thorpe ends his letter as follows: "I am sorry to learn that you cannot regard the criticisms made in our letter, which were temperately expressed, as constructively intended. There is good reason to question the process as it appears to be unfolding."

Despite important differences in style and content in the two letters, it is clear that each letter would irritate its recipient. In the event, an appointment was made,

although it was not the candidate supported by Professor Thorpe. The matters that Professor Thorpe and the seven other signatories raised remained unaddressed.

We have gone into considerable detail in relation to this incident because, in our opinion, the correspondence reflects the way the interpersonal dynamic between the president and Professor Thorpe worked, and the degree to which the president appeared to dislike Professor Thorpe's criticism.¹⁷ It seems to us that Professor Thorpe not only marshaled more cogent arguments in this exchange, but he did so with an ease and elegance of expression. It is reasonable to infer that the president would have found such a skilled assault very threatening.

d) Thorpe as a Vocal Opponent of the Current Administration

Indeed, Professor Thorpe was an early and then a persistent critic of president Newbould, and did not shrink from using the epistolary format to give public voice to his concerns about the president's administrative style and decisions. According to Professor Thorpe, he had frequently criticized the administration but, prior to the arrival of Dr. Newbould, he had confined his views to within the institution. With the accession of president Newbould and what Professor Thorpe apparently regarded as his overtly confrontational and autocratic administrative style, Professor Thorpe increasingly chose to air his views in a more public way. Professor Thorpe became a prolific public letter writer, publishing on university matters in the *Mount Allison Faculty Association Newsletter*, the *CAUT Bulletin*, the *Sackville Tribune-Post*, the *New Brunswick Telegraph Journal* and the *Moncton Times & Transcript*. Since, in our view, a great deal is explained by Professor Thorpe's letter writing, we think it necessary to provide some illustration.

i) Three examples of Thorpe's letters written before the dispute that arose over the directorship of Canadian studies. The tenor of Professor Thorpe's letters is captured in the following three examples, which precede the heated exchange over the appointment of a director of the Canadian studies programme referred to above, and these letters provide evidence of an increasingly distressed relationship between Professor Thorpe and the president.

On April 15, 1992, during the first MAFA strike, in which Professor Thorpe participated and to which he was deeply committed, Professor Thorpe wrote a letter to the *Sackville Tribune-Post* in which he defends the strike as the only "honorable alternative," given what he regards as the unacceptable dictatorial behaviour of the administration. Professor Thorpe notes that, in previous coverage in the *Tribune-Post* of the dispute at Mount Allison, president Newbould condemned the strike because it impacted negatively on students. Professor Thorpe points out that,

[W]e on the picket-lines have, in turn, been "deeply affected" by many students' willingness to hear our case, to receive and discuss the information we distribute. Some have fortified us with hot coffee and chocolate — remarkable behaviour in people we are using as a "lever." Perhaps they judge differently and this has been part of their education, as it has been for us — in camaraderie and solidarity. Free collective bargaining, still young here, is worth defending, as a heartening number of young faculty are doing despite financial and professional insecurity. The intolerable alternative — unhealthy for our students also — would be accepting dictation, not only of regressive terms and conditions of employment, but of academic policies damaging to this reputable university.

In another example of Professor Thorpe's impassioned but reasoned epistolary style, he writes to the *Moncton Times* (12 March 1993), in the aftermath of the non-confidence vote on the president [Professor Thorpe, as indicated above, spoke at faculty council in favour of the non-confidence motion], to rebut comments made by the president included in an article ("Feud Brews at Mount A Over Leadership") in that paper concerning that vote. Professor Thorpe concludes his remarks with a highly critical assessment of the president:

The President's remarks display him, as usual, as one contemptuous of opposition however large. Some fifty faculty members are merely "a group of dissenters" who "make some noise"; and, as usual, he tries to deflect the issue by asserting that his critics cannot accept "fiscal responsibility and change." It isn't those things they cannot accept, but the President's authoritarian and insensitive ways of implementing what are generally recognized as necessary, if painful changes. Our President has exacerbated the pain.

In a third example of Professor Thorpe's epistolary

practice, a piece published in the *MAFA Newsletter* (Oct. 11, 1994), he issues a call to arms to disaffected and demoralized faculty, urging them to abandon lethargy and detachment because, in his view, their failure to oppose actively the policies and attitudes of the president encourages the president to believe that,

[H]e is supreme ... [he] gives vainglorious interviews, praising his toughness and revelling in his unpopularity with a typical "macho" cliché — "it comes with the territory" (*Tribune-Post*, 14th September [1994]). The answer to that is: "Not necessarily." There are different ways of exercising power. Budgetary cutbacks are not now the issue: it is the President's habit of authoritarianism, his insensitivity to human and humane considerations. Administrators in universities, as the Concordia case tragically showed, lack training for their jobs. They treat criticism with indifference, or react by stonewalling — or even with abuse; few have the will or skill to debate or seek consensus. They are, typically, accountable to no-one but a Board made up of people very like themselves.

The solution for what Professor Thorpe regards as the president's authoritarian behaviour and inappropriate attitudes is for faculty to commit to opposition.

These three examples of Professor Thorpe's letter writing skills are united by a polemical tone and what seems to us to be a somewhat vitriolic finger-pointing at the president. They precede the blowup with the president over the appointment of a director of Canadian studies and help to explain why, rightly or wrongly, president Newbould inferred that the letter signed by eight colleagues was the work of Professor Thorpe. One can appreciate the frustration that prompted these epistles, and one can likewise appreciate the anger which they undoubtedly generated for some of their readers.

ii) Thorpe's letter writing after 1995. Professor Thorpe's letter writing continued throughout the period of time that his employment and president's Newbould's tenure in office overlapped; it was kept up for nearly a year after he retired, and it ceased, perhaps only temporarily, at the time he was denied a position in continuing education and this committee of inquiry was put in place. In the period after the dispute over the appointment of the director of Canadian studies, Professor Thorpe's letters continue to express his disenchantment with the management style of the president, a style that he now begins to believe is untenable to amelioration.

Accordingly, in *The Argosy* of March 18, 1996, Professor Thorpe seizes the opportunity provided by a student interview with the president also in *The Argosy* to rebut what Professor Thorpe believed was the president's dismissal of the meaning of the referendum that opposed his reappointment to a second term. Professor Thorpe writes:

Dr. Newbould arrived without significant faculty support¹⁸ and gained little, but not because of general unawareness that there was a "financial problem." Already in his prior interviews, his abrasive style had repelled; certainly he found "discord," but he was not the man to ameliorate it. He tries to rationalize away his unpopularity by asserting that "every President [of Mount Allison University] since the Sixties has been the worst ever." I don't know how he knows: I have been here since 1974, he since 1991. While no president has been very impressive, Dr. Newbould's relations with faculty have been worse than any, especially than those of his immediate predecessors, Wells and Brown, with whom one could differ without losing civility.

The critique of the president's administrative skills is, it seems to us, becoming more harsh and sweeping.

Three months later, in June 1996, Professor Thorpe is again embroiled in a dispute with senior administration over his criticism of the award of an honorary degree, a complaint which Professor Thorpe aired in the pages of the *Sackville Tribune-Post*. The then vice-president (academic), William Driedzic, takes issue in senate with Professor Thorpe for expressing his opinion in the local newspaper. Dr. Driedzic states that Professor Thorpe, by writing to the *Sackville Tribune-Post*, failed to respect the decision of senate in voting to bestow the honorary degree. In a memorandum to senate, Professor Thorpe responds by passionately insisting on his right to free speech:

We now have such a deluge of printed propaganda giving the public and alumni one-sided view that it becomes even more imperative to speak out in organs of communication beyond the "University's" control.

It should be clear that Professor Thorpe is formulating a rationale for his increasingly strident criticism. He believes that it is necessary to oppose the actions of the administration, and to find fora in which this activity could be most effective. According to Professor Thorpe, if such fora turn out to be the public print media, so be it.

When the Wilson Report¹⁹ is released in 1997, Professor Thorpe, by now in the first year of his retirement, uses the opportunity provided by its appearance to put into the public domain, once again, his opinions about what he regards as the mismanagement of Mount Allison University. He advises readers in his letter to the *New Brunswick Telegraph-Journal* (Dec. 31, 1997) as well as the province's Minister of Education not to be "misled by the glowing ranking of the university in MacLean's," and urges everyone interested in the true state of affairs at Mount Allison to give the Wilson report careful scrutiny.

In a letter to the *Sackville Tribune-Post* (Dec. 24, 1997), Professor Thorpe expresses similar sentiments about the value of the Wilson report. Along the way, he offers as an example of what he believes to be the habit of misrule at Mount Allison University, a criticism of the way the then vice-president (academic), William Driedzic, was appointed. He concludes his letter with an appeal to open discussion of the Wilson report's meaning and significance. "[F]ree enquiry and free speech," Professor Thorpe writes, "should not only be academic topics but practised without fear or favor." For the second time, Professor Thorpe frames his particular criticism within the right and necessity of free speech and inquiry. It appears to us that Professor Thorpe's correspondence has moved from a narrow-focused criticism, with its implied hope for reform, to an articulation of the need to express opposition, regardless of the outcome.

To conclude: the history of institutional in-fighting between administration and faculty created a volatile situation at Mount Allison University. The administration appears to be unpopular with a majority of faculty, the faculty appears to be disliked by the administration. Two faculty strikes, a staff strike, a motion of non-confidence in the president, a referendum opposing the president's reappointment and a series of harsh letters to the press by Professor Thorpe speak to this situation. Professor Thorpe was a highly visible, articulate and prolific opponent of the administration and seems to have been perceived by the administration as one of the primary mobilizers of faculty opposition.

Michael Thorpe's Retirement

In the spring of 1997, Professor Thorpe took early retirement for health reasons. In anticipation of his retirement, the English department proposed marking the occasion by inviting members of the university community and former students to contribute to a fund that would enhance English literary scholarship at Mount Allison. Professor Thorpe agreed to the proposal and suggested that he would like to see the monies so collected used to acquire works of poetry for the Mount Allison library. In his written response to this conciliatory and gracious gesture from the English department, Professor Thorpe records his appreciation that previous differences could, on this occasion, be transcended.

Thorpe's retirement was also marked by a personal letter of what seems to us to be considerable warmth and sincerity from the chair of the board of regents, J.J. Keith, who wrote on May 23, 1997:

I would be guilty of negligence to a considerable degree if I did not thank you for all you have done for so many students during your 23 years at Mount Allison. I know they appreciated your efforts on their behalf. If we are guilty of anything, it is our reluctance to say "Thank You" and to express gratitude to those who work on our behalf. Hopefully, this note corrects that sin in a small way.

May your retirement be filled with happiness and good health.

THANK YOU!!!

Subsequent behaviour by Mr. Keith in response to Professor Thorpe's appeals (see below) give this letter a piquant and ironic quality.

7 Michael Thorpe's Post-Retirement Relationship with Mount Allison

Professor Thorpe's post-retirement relationship with Mount Allison University is marked by two events: (1) the denial of his application to teach an intersession course in the department of continuing and distance education; and (2) the failure of the board to award him professor emeritus status. These two issues converged in the spring of 1998.

a) The Department of Continuing and Distance Education

In the spring of 1997, Professor Thorpe applied for an appointment to teach English courses through the department of continuing and distance education. Professor Thorpe wanted to continue to teach on a part-time basis. On the face of it, the situation was that a highly accomplished teacher and scholar in English could be employed by a division of the university at a pittance. Such a situation would seem to have advantages for both parties. We have been told that newly retired faculty apply for and receive such teaching, and that they count on being able to obtain such positions as a necessary prerequisite for their early retirement. In accordance with his perception of common practice, Professor Thorpe informed the department of continuing education that he wanted to teach by writing a letter to the director. Professor Thorpe received an appointment to teach two half courses without any difficulty.

The department of continuing and distance education at Mount Allison is an academic unit with a mandate, according to the university calendar, to provide educational opportunities for part-time, mature and evening students. Intersession courses are offered during the period May–June, in Sackville and Moncton. Courses so offered are understood to expand the offerings available to evening students as well as provide the opportunity for full-time students to take additional courses.

We were told that the department of continuing and distance education would routinely circulate a form to all faculty soliciting names of colleagues interested in teaching courses for that department. There does not appear to have been a formal application process beyond the solicitation of names: no materials such as a CV or letters of reference were required although it was suggested to us that, in the case of applicants from outside the university, the director probably obtained a CV, and the director would in all likelihood take the CV of such an applicant to the department for their consideration.

We were told, further, that there was considerable concern in the department of continuing education over their ability to staff the courses they offered, and that it was not always easy to recruit full-time faculty for this activity. Indeed, the phrase which seems best to capture this apparently difficult situation and which various faculty members used in talking to us is "beating the bushes." Retired faculty members and others who were deemed qualified (by whom is not clear from the information we received) were employed to bolster the ranks of available teaching staff for these courses. Approval of the head of the department in which the course was regularly taught (as evidenced by the signature of the head on the form circulated by continuing education) was perceived by those who spoke to us as the most important element in the hiring process, at least until Professor Thorpe was denied teaching in 1998. We have been told that deans did in fact sign the form recommending appointment, but that the signature of the dean was a formality. We have not seen this form, and no one with whom we spoke could remember if the form had place for the signature of the vice-president (academic).

From our discussions, it was clear that the procedure for hiring was informal to the point of being casual. We were told that there was often a lack of teachers to staff these courses and that the common practice until 1998 was for retirees, whether regular or early, routinely to be accepted to teach. We were told many times that the department of continuing education had no rigid procedures for staffing or for assessing applicants. Once the head had signed the form, we were advised, it was the regular practice for the person so approved to be hired. Such apparently was the case when Professor Thorpe was hired by the university to teach two half courses in English in the department of continuing education in the spring of 1997. These Professor Thorpe taught, and no concerns of any kind appear to have been raised with him about the quality of his teaching.

b) Thorpe's Application for Employment in the Department of Continuing and Distance Education in 1998

In the spring of 1998, as he had done uneventfully the previous year, Professor Thorpe applied to teach for the department of continuing and distance education in the intersession period. The application was approved by

the heads of continuing education and the English department, as had happened in 1997. His name was published in the course schedule (letter from Hamer to Professor Thorpe dated March 12, 1998) as had happened in 1997. However, when the application reached vice-president Driedzic, he vetoed the appointment.

Nearly everyone with whom we spoke, including a number who were familiar with the process, was surprised that the form from continuing education reached the desk of the vice-president; however, a former vice-president advised us that all such forms would routinely come to the vice-president, but that it would be unusual for the vice-president to do more than just glance at them. In the spring of 1998, the vice-president appears to have given the applications for teaching in the department of continuing education some scrutiny. In an e-mail dated 3 March 1998 to the heads of English and continuing education, copied to various other administrators, Dr. Driedzic ordered that "M. Thorpe is not to teach at Mount Allison." Dr. Driedzic offered no reasons for his unprecedented action. Professor Thorpe, who had not received a copy of the e-mail from Dr. Driedzic, learned of Dr. Driedzic's decision later, from the director of continuing education.

c) The Senate Votes in Favour of Emeritus Status for Thorpe

Eight days after Dr. Driedzic's e-mail, the senate voted in favour of emeritus professor status for Professor Thorpe, with only five opposed, having received a unanimous recommendation of the Advisory Committee on Emeriti Appointments, a committee that was chaired by Dr. Driedzic. Senate minutes of March 11, 1998 indicate, under item 98.3.7, "Report of the Advisory Committee on Emeriti Appointments":

The Vice-President [Driedzic] left the Chair to present the Committee's Report. Dean Hamer presided

The Vice-President outlined to the meeting the terms of reference of the Committee, and presented the names of Dr. E. Hey and Prof. M. Thorpe, each for the designation Professor Emeritus. Both candidates were approved by ballot.

The Vice-President returned to the Chair.

From senators with whom we spoke who were present at that meeting, we were told that Dr. Driedzic, who had relinquished the chair of senate in order to present the Report of the Advisory Committee on Emeriti Appointments (of which he was also chair), offered no criticism of either candidate. Nor did anyone else.

i) Policy and procedures governing the granting of professor emeritus status. Unlike the situation that obtains with regard to appointments in continuing education, with professors emeriti, there is a written policy, promulgated on Sept. 18, 1987. This policy specifies that the purpose of the title is to honour the retirement of professors and librarians. The privileges associated with the title are honorific. "Professors Emeriti and Librarians Emeriti are publicly recognized at the Convocation at which they are presented, their names are listed in the University Calendar, and they may be recognized by the University on certain special occasions." There is no financial benefit associated with the title.

Eligibility "will normally be given to those who, on retirement with the rank of Full Professor or Librarian IV, have served the University full time for at least ten years." We have been told by those with whom we spoke about this matter, that "normally" relates to rank and length of service. That is, the policy allows those with less than 10 years, and/or who have not achieved the rank of full professor to be considered for professor emeritus status, but they would be exceptions. In fact, no one with whom we spoke could remember an instance in which someone who was not at the rank of full professor was granted the title of professor emeritus.

There has been considerable debate at Mount Allison as to whether this title was to mark academic distinction or whether it was to mark rank and service. We have been told that this debate has been settled in favor of rank and service. A paper on this matter, authored by Berkeley Fleming entitled "On the Honorific Titles of Professor 'Emeritus'/Meanings, Criteria, and Processes/Remarks to Senate," was presented to senate on April 19, 1995. In that paper Fleming notes:

The title of Professor Emeritus is generally understood outside Presidential offices and Board committees as a symbolic expression of thanks to former faculty members who have served students and worked with colleagues. It is recommended by Senate to the Board of Regents which, except under extraordinary circumstances, typically approves — rubber-stamps if you like — the recommendation. This is parallel to what happens with recommendations for degrees.

In Fleming's view, and in the view of everyone else with whom we spoke who had knowledge about the practice of granting of the title of professor emeritus at Mount Allison, all full professors who have served for 10 years or more could reasonably expect, but tressed by past practice, that they would receive the title "professor emeritus" on retirement. The practice, until Professor Thorpe was proposed for emeritus status, was that the granting of emeritus status appeared to be automatic because everyone in the specified rank with the specified years received the title.

The procedures of the Advisory Committee on Emeriti Appointments are set out in a document entitled "Professors Emeriti and Librarians Emeriti: Policy and Procedures":

1. the Senate appoints a standing Advisory Committee on Emeriti Appointments;
2. it consists of the Vice-President Academic (Chair), two Professors Emeriti, one faculty member of Senate and one student member of Senate;
3. the Committee meets in January of each year and considers the names of all faculty and librarians who have retired in the previous year;
4. the Advisory Committee makes recommendations, which it forwards to Senate;
5. Senate considers the recommendations of the Advisory Committee and votes on them by secret ballot;
6. those names approved by Senate are forwarded to the Executive Committee of the Board of Regents in time for their April meeting;
7. the Executive Committee considers "the Senate's recommendations and shall appoint the Professors Emeriti and Librarians Emeriti."

Despite the widespread perception that the granting of emeritus status was automatic for those at the rank of full professor with the requisite number of years of employment at the university, the language of the policy document suggests that the advisory committee, the senate and the board have discretion in the matter. We have already commented that "normally" might be interpreted in a number of different ways. The advisory committee advised the senate about years of service and rank.

The senate voted, but seems always to have approved the recommendations of the advisory committee. The board, despite the reservoir of discretion inherent in receiving "recommendations," appears to have rubber stamped the senate's recommendations, a perception that is supported by the fact that everyone who was a full professor with 10 or more years service as a faculty member always received the title. There is, of course, an ambiguity in the wording of the policy which speaks to this issue. Examine carefully the following sentence:

The Executive Committee of the Board *shall consider* the Senate's recommendations and *shall appoint* the Professors Emeriti and Librarians Emeriti. (our emphasis)

"Consider" and "recommend" point to the executive committee having the power to select and determine from the list provided by senate those who shall receive the title professor emeritus and those who shall not. However, the use of the definite article "the" in the phrase "shall appoint the Professors ... Emeriti" cuts in the other direction. It suggests that the executive committee might "consider" and "recommend," but that, at the end of the day, they would appoint the candidates for the position on the list provided by senate in its entirety. In so doing, of course, they would be following what the Fleming paper suggested was the appropriate parallel, the awarding of degrees to graduating students. We infer that this ambiguity has remained hidden for so long because no circumstances until the events of 1998 ever required such a close scrutiny of the wording of the document. To conclude: until 1998, past practice reflected a virtual rubber stamping at the level of the board.

ii) The advisory committee on emeriti professors. In February 1998, the Advisory Committee on Emeriti Appointments met and considered the names of those who had retired in the previous year. There were two full professors, one of whom was Professor Thorpe, and there were four associate professors. Dr. Driedzic, as chair, provided a written thumbnail sketch of each of these people (a half page at most, the very brevity a clear indication, in our opinion, that academic record was not the issue) for each member of the committee, and made available to them their full files should members of the advisory committee wish further or fuller information. Even if the thumbnail sketches were vastly condensed summaries of lengthy careers, we believe, having reviewed the sketches ourselves, that Professor Thorpe's record of academic achievement is, on the face of it, the strongest in the group. We have been told that the committee, func-

tioning as it always had in the past, considered the names only in relation to the criteria of rank and time. Using those criteria, the two full professors were recommended to senate by the advisory committee and the four associate professors were not.

iii) The senate recommends Thorpe. As required by the policy document, the recommendation of the advisory committee went to senate on March 11, 1998. Senate voted in favor of recommending both full professors to the executive committee. It was not the practice to announce the actual vote, but we were told that when Dr. Driedzic was advised of the vote result he commented privately that he perceived five to be a significant number of negative votes. We were also told that the negative votes were not unusual; it was common for there to be a sprinkling of negative votes in senate for those being recommended for Professor Emeritus status.

d) The "Paper War"

As events surrounding the granting of professor emeritus status were unfolding, a "paper war" over the position in continuing education broke out. On March 4, 1998, Professor Thorpe wrote to Dr. Driedzic seeking an explanation for Dr. Driedzic's action in denying him the minor teaching post. A week passed without a response. On March 10, 1998, Professor Thorpe wrote to the dean of arts and letters, Dr. Kathy Hamer, requesting that she obtain from Dr. Driedzic either at faculty council or at senate an explanation of his actions. He notes that efforts to obtain a reply from Dr. Driedzic have elicited the information from Dr. Driedzic's secretary that Dr. Driedzic would reply, but there was no indication as to when that reply might be received.

On the same day, March 10, 1998, the Joint Liaison Committee (made up of two members of Mount Allison Faculty Association and two members of the administration) met. This committee meets regularly to discuss matters of concern in an informal manner. At this meeting the question of appointments in continuing education was raised by the union. The "minutes" read:

The Vice-President was asked for his reasons for not appointing [Thorpe]. He replied that this was not something that he was prepared to discuss with the Association. The discussion then turned to the general question of whether criticism of University administrators could be the basis of a decision not to make an appointment. Bill Driedzic said that he doubted that such criticism would ever be a factor in these decisions. When asked if competence would be the main criterion in selecting teachers for Continuing Education, Bill Driedzic noted that it was one of many factors to be taken into consideration. (Minutes, Joint Liaison Meeting 114, March 10, 1998, p. 2)

At this stage, the vice-president appears to have been as unprepared to offer any explanation to the union for his treatment of Professor Thorpe, as he was to Professor Thorpe.

The dean was more prompt than Dr. Driedzic in responding to Professor Thorpe. Within two days of receiving Professor Thorpe's letter, on March 12, 1998, the dean made a written reply. She notes that Professor Thorpe's inquiries were more appropriately addressed to Dr. Driedzic himself, and that she did not consider senate or faculty council as "appropriate venues for resolution of issues such as this." Professor Thorpe, however, had not asked for "resolution"; Professor Thorpe had asked for reasons. She also states that Dr. Driedzic told her that Professor Thorpe had "declined an offer from him [Driedzic] to call you to discuss it²⁰ further."

In her letter, the dean indicates her understanding of the way appointments to continuing education are supposed to be made. Whether or not they were ever clearly spelled out in written procedures we have not been able to learn. What we have learned is that, if there were such procedures, none of the heads and former deans with whom we spoke, administrators who themselves routinely oversaw the processing of applications for continuing education, ever saw them. The dean's letter asserts that "all academic appointments must be approved at the level of the vice-president's office," by which she seems to imply that it was routine for appointments to continuing education to be vetted by Dr. Driedzic. No one with whom we spoke (including a former vice-president) believes that, prior to March 1998, any vice-president ever scrutinized appointments in continuing education. Of course, dean Hamer may merely mean that it was routine for formal approval to be obtained from the vice-president, and that formal approval was little more than a "rubber stamp."

The dean goes on to explain that "approvals for Continuing Education appointments are supposed to be obtained *before* the schedule of courses is published, and before prospective faculty are confirmed in these positions." It is clear from such a clarification that the practice of appointing people to teach in continuing education varied and that the schedule of courses to be taught in 1998 was published before approval of appointments had been obtained by an academic administrator above the level of the director of continuing education and the department chair. It is difficult not to conclude that these circumstances arose because appointments in continuing education were, up until the spring of 1998, always approved. The approval, according to those with whom we spoke about this matter, invariably came from the head of the department and the director of continuing education, with, perhaps, some overseeing by the relevant dean, although the dean's role appears to have been more or less that of a "rubber stamp."

Having received no response from Dr. Driedzic and no explanation that satisfied him from Dr. Hamer, on March 13, 1998 Professor Thorpe wrote to the chair of the board of regents, J.J. Keith, complaining that he had no reply to his request to Dr. Driedzic for reasons. His letter asks the question, am I [Thorpe] "to be discriminated against as a teacher for exercising a reasonable right of free speech?" This question suggests that Professor Thorpe believed that the refusal to employ him for post-retirement teaching was linked to his outspokenness. He concludes by juxtaposing his being denied a minor teaching appointment with his being voted professor emeritus by the senate:

My distinction, really, is to become the first Emeritus Professor²¹ debared from teaching at a university he has served conscientiously, albeit critically, for 23 years.

On March 18, 1998, Professor Thorpe responded to the dean's letter of March 12, 1998 to clarify the nature of his request for reasons and the undertaking that he had received from Dr. Driedzic's secretary. Professor Thorpe acknowledges that Dr. Driedzic's secretary communicated to Professor Thorpe the promise of a reply from Dr. Driedzic in response to Professor Thorpe's request for reasons. Professor Thorpe makes the assertion to the dean that an "explanation" of the actions taken is the only course available after the event; the dean's perception that Dr. Driedzic was prepared to "discuss" the matter with Professor Thorpe, Professor Thorpe believes, is an absurdity, since, according to Professor Thorpe, "one can hardly 'discuss' a *fait accompli*." Professor Thorpe also notes that the dean's comments on procedure do not address his concern, inasmuch as, even had the procedure, whatever it was, been deemed to have been properly followed, and the outcome was Dr. Driedzic's edict denying him a position in continuing education, Professor Thorpe "would still question this exercise of his [Driedzic's] 'prerogative.'"

Professor Thorpe concludes the letter by observing that he had been recommended for the title of professor emeritus by his peers in the senate and yet had been refused a minor teaching appointment: "I learn that last week the Senate voted me the title of Professor Emeritus — more apt would have been DEmeritus." This letter is copied to Dr. Driedzic. Just in case Dr. Driedzic had not noticed the disjunction between his directive denying Professor Thorpe a teaching position and the recommendation of senate (coming from an advisory committee chaired by Dr. Driedzic) that Professor Thorpe be given emeritus status, this communication of Professor Thorpe's would leave him in no doubt as to the incongruity.

On March 19, 1998, the chair of the board of regents responded to Professor Thorpe's letter of March 13, 1998. The letter does not deal directly with Professor Thorpe's concerns except to assure him that he has free speech as evidenced by "your letter," and that the chair of the board will "share your letter with [the other members of] the Board."

On the same day, the first of what was to be a sequence of articles on the Thorpe controversy appeared in the press. The remarks attributed to Professor Thorpe in these articles, as well as the opinions expressed by him in a steady stream of letters to the local papers, indicate that Professor Thorpe had no intention of being silenced because he had been denied a teaching position. Moreover, from Professor Thorpe's remarks, it is clear that he intended to make as much as he could out of the fact that he was being denied the teaching while being awarded the honorary

title. "Professor Denied Summer Teaching Position," an article by Caitlin Hayward, appeared in *The Argosy*, the student newspaper, on March 19, 1998. The focus of the article is on reasons for Dr. Driedzic's action. Nevertheless, it is subtitled, "Thorpe given Emeritus status, yet rejected for summer employment;" an example of how the teaching concern began to coalesce with the emeritus issue. It is worth pointing out that, in the student paper article, as in Professor Thorpe's March 13, 1998 letter to Mr. Keith, the assumption is that Professor Thorpe has already been granted emeritus status although his name had not yet gone to the board for approval, a clear sign that the board's role was seen as a rubber stamp.

In *The Argosy* article, Professor Thorpe describes himself as "an outspoken critic," both in the senate and in published journals.²¹ He also claims that "the decision to not allow him to teach ... was motivated by his criticisms, and is based on personal reasons." The reporter goes on to note that Professor Thorpe is disturbed not to have received a written explanation from vice-president Driedzic for the banning. When contacted by the reporter about Thorpe's claims, Dr. Driedzic categorically denies that Professor Thorpe's criticism had anything to do with his decision. He is quoted as saying, "Any insinuation that the decision was made based on his [criticism] is not true." Beyond that Dr. Driedzic would not go, saying that "it's not a public matter."

The *Argosy* article ends by picking up the matter of emeritus status. It explains the way the granting of emeritus status was perceived in the academic community, and is consistent with what we were told:

In an ironic move, the Senate advisory committee on Emeriti appointments, chaired by Dr. Driedzic, recently nominated Thorpe to the Senate, for the position of Professor Emeritus. The title, which literally translates as "having served out his time," is of some universities a rare honour. However, at MTA, the criteria for Emeritus status is less stringent: a professor or librarian who has been at MTA for a minimum of 10 years as a full professor or librarian is normally given this designation upon retiring. Professor Thorpe met the criteria, and Dr. Ian Box, a member of the advisory committee, stated that the committee was "unanimous in supporting Dr. Thorpe" for the appointment.

From these reports, it is clear that, in the minds of participants and observers at Mount Allison, the issues of Professor Thorpe's teaching and his emeritus status were merging and that the ironies were not lost.

There would be further commentary in the press on this issue: (1) an article by Mark Reid in the *New Brunswick Telegraph Journal* on 23 March 1998 entitled "Outspoken prof dropped" with a subheading, "Professor claims it was his harsh criticism of Mount Allison's administration during contract disputes that lost him teaching post"; (2) an article by Katie Stokes (Tower) in the *Sackville Tribune-Post* on 25 March 1998 entitled "Prof Suspects Public Views Cost Him A Teaching Position"; and (3) a guest column in *The Argosy* on 26 March 1998. The common thread of these articles is that Professor Thorpe believes that his criticism of the administration is the reason behind the actions of Dr. Driedzic. Typical of their tenor and content is the following from the *Telegraph Journal*:

Thorpe readily admits that, for the past five years, he has "publicly and consistently" criticized the university's administration for its "dictatorial style."

He believes a recent letter to the editor he penned, critical of the university's administration, had a lot to do with the decision to refuse him the position. He was approved for a spring teaching position in the continuing education program last year.

"And the only new development since then in my relationship with the Administration is the letter I wrote in response to the CAUT (Canadian Association of University Teachers) inquiry last December."

Thorpe's letter to the editor appeared in the *Sackville Tribune Post* in December 1997. A similar letter was published in the *Telegraph-Journal* in January. Both letters criticized the university administration and president Ian Newbould's reaction to a labor report written by Fred Wilson, a philosophy professor at the University of Toronto.²² On March 25, 1998, in the absence of an explanation from Dr. Driedzic, and having failed to convince Dr. Hamer to raise the matter in faculty council or senate, Professor Thorpe addressed a letter to the secretary of senate requesting that the senate inquire about the use of the "prerogative" of the vice-president to ban Professor Thorpe from teaching in continuing education. Several days later, on March 30, 1998, the secretary of senate assured Professor Thorpe that his letter would be distributed at the next meeting of senate on April 9, 1998.

As these events were unfolding, the faculty circulated a petition supporting Professor Thorpe, which

was signed by 80 of Professor Thorpe's former colleagues. More than 75 per cent of the tenured faculty at Mount Allison signed the petition. Those who circulated the petition did not contact teachers without continuing appointments because, we were told, they were believed to be the most vulnerable to administrative retribution. This petition read as follows:

We, the undersigned, protest the violation of academic freedom. Michael Thorpe's eminence as a scholar and teacher was recognized by the University Senate's decision to award him Emeritus status on 9 March 1998.²³ Yet as of 3 March 1998 the Vice-President (Academic) has decreed that "M Thorpe will not be teaching at Mount Allison." We believe that there is a direct connection between the Vice-President's decision and Michael Thorpe's public criticism of the Administration of this university. We believe as well that the right to hold public money to public account is a fundamental freedom. Therefore we demand his reinstatement as an instructor in the Continuing Education Department.

The petition was forwarded to Dr. Driedzic on April 6, 1998. Professor Thorpe, naturally enough, was pleased by the support he received from his former colleagues, as he indicates in a letter to Roger Wehrell (March 27, 1998), then president of MAFA, during the time when the petition was being circulated.

On March 27, 1998, Professor Thorpe again wrote to Dr. Driedzic to urge him to provide an explanation. On March 31, 1998, Dr. Driedzic wrote to Professor Thorpe indicating that he was prepared to meet with Professor Thorpe and to provide an explanation for his action, but Professor Thorpe did not respond because, as he told us, in the circumstances he did not regard a face-to-face meeting in which things said might be misinterpreted as satisfactory. Professor Thorpe wanted reasons for Dr. Driedzic's actions in writing.

In a letter to Professor Thorpe dated April 7, 1998, Dr. Driedzic commits to writing his reasons for banning Professor Thorpe from teaching for continuing education. The delay of over a month between the ban on Professor Thorpe's teaching and the sending of this letter raised a suspicion in the minds of many of the people with whom we spoke that the reasons stated in the letter were arrived at after the events rather than having been in place as a product of long-standing concerns. On the day Professor Thorpe received Driedzic's letter, April 8, 1998, a further *New Brunswick Telegraph Journal* report appeared, occasioned by the faculty's petition. Another report was published in the *Moncton Times Transcript* of April 9, 1998.

e) Driedzic's Letter

Dr. Driedzic states that he had "reason to believe that acceptance of your application to teach at Mount Allison is not in the University's best interest, or in the best interest of its students." He concludes by noting that "it has been past practice that appointments to teach in Continuing Education have not reached the desk of the Vice-President until classes had started. This will no longer be the case." Thus, Dr. Driedzic confirms in this letter the widespread perception that in the past the decisions about continuing education have been made at a lower level of the administrative hierarchy.

Early in Dr. Driedzic's letter, he provides seven points which "contribute[d] to his decision." The following are those points with two names suppressed at the request of Professor Thorpe:

1. There is an uncontested letter of reprimand in your file which describes an incident of harassment of a female Mount Allison student. I understand that this is based on your behaviour during an incident when you trespassed on University property, attempted to interrupt a student reception at Cranewood (the President's residence) held at the request of the Chaplain for our chapel choir, and subsequently harassed the student as she was leaving the premises.

2. A further incident of female harassment occurred when you placed a call to a student of [name suppressed]. [Name suppressed] was being considered for a position for which your wife was also being considered. You placed a call to that female student late in the evening despite the fact that you did not know the student, and had received no complaints from her. You attempted to have her make a complaint against [name suppressed]. The individual who was called was quite upset at what she considered to be harassment. Dr. Visentin, VP (Academic) and Dr. Newbould met with you to discuss the incident and your unprofessional behaviour.

3. A further incident involved the use of language in the classroom which is deeply offensive to many women. You did so in a way that emphasised your use of that language — it is my understanding you wrote the word "cunt" in large letters across the board. A female student complained about this and Deen Ellard was required to speak to you about the matter.

4. We have begun a process of weaving Continuing Education courses into departmental folds. Success will depend upon mutual respect of members of the department

and those hired to teach on a stipend basis. Your relationship with the Department of English as evidenced by correspondence in your official file is bitter. The most contentious issue over the past number of years has focused on your ongoing efforts to secure an appointment in the English Department for your spouse. These disagreements resulted in your resignation as Head and further lead [sic] to your lack of participation in departmental meetings. The essence of your relationship with the department is captured in a letter to Dean Ellard dated May 31, 1996 in which you wrote that with respect to members of the English Department "it is deeply repugnant to me to sit down with people for whom I have lost respect."

5. There is an editorial published over your name in the Tribune dated May 1, 1996 in which you insult the Senate with reference to a decision the Senate had taken by stating that this body "allowed this distasteful piece of academic pork barrelling to happen." Your comments were far in excess of publicizing your dissent as suggested in your letter to Senate dated June 7, 1996.

6. The faculty at Mount Allison went on strike in 1992. You wrote a letter to the University certifying that you were not on strike and, consequently, that your salary should continue. However, you subsequently went on strike without notifying the University. It was only when you were confronted that you admitted that you were on strike and receiving pay to which you were not entitled and which was not being received by your colleagues on the picket lines. This action on your part was dishonest, and suggests to me that you do not have the personal qualities that someone who teaches our students should have.

7. I have been advised that post early retirement appointments are to be discouraged since such appointments call into question the tax free status of retiring allowances. You received a substantial retiring allowance last year.

Although Dr. Driedzic initially gives the impression that this list contains all the reasons why Dr. Driedzic banned Professor Thorpe from teaching, before the letter ends, he provides further matters of concern. Dr. Driedzic faults Professor Thorpe for acting towards those with whom Professor Thorpe disagrees in "a rude and unprofessional manner," and for defaming those with whom he disagrees. Dr. Driedzic also faults Professor Thorpe for silence.

It is one thing to disagree with other members of the University on issues. It is quite another to act towards those people with whom you disagree in a rude and unprofessional manner, or to defame them. You, unfortunately, do just that as is illustrated by your behaviour towards me and other members of this community with whom you refuse to speak.²⁴

Dr. Driedzic then points out that Professor Thorpe was disliked by a number of colleagues:

I point out that this is not the first time your suitability for an appointment at Mount Allison has been questioned. Your initial appointment in 1974 was controversial, as was the decision to grant you tenure in 1976. ... The Committee evaluating your candidacy for tenure was unable to achieve consensus. Concerns were expressed over your relationship with students which was characterized by some as "caustic." Even your nomination to Senate for an appointment as Professor Emeritus resulted in substantial negative votes.

Dr. Driedzic concludes that "[a]t this time your service to Mount Allison is no longer required."

Before we assess Dr. Driedzic's reasons, we note that Professor Thorpe made an immediate and interim response to what he regarded as an assault on his reputation. On April 9, 1998, Professor Thorpe wrote to Dr. Driedzic acknowledging receipt of Dr. Driedzic's letter. Professor Thorpe states that he will respond fully at a later date, but feels compelled to address immediately Dr. Driedzic's point 6:

My only recollection is of, not writing a letter, but of signing a form which may have come from the Personnel Office, as it then was, to the effect that I was not, at the time, on strike. It was received before we actually struck, and I remember thinking the form was premature. I can recall no "confrontation" concerning salary to which I was not entitled, and never did I conceal the fact that I was on strike when we actually came out. I do not recall being expected formally to notify the University. ... At most, it seems I committed an inadvertent error, but in suggesting I was guilty of a "dishonest" act, you go beyond a reasonable interpretation of the facts, such as they may be.

Professor Thorpe's explanation of his response to the administration's inquiry regarding the intentions of individual faculty members regarding an impending strike is, it seems to us, more reasonably characterized as mischievous than as dishonest.

Returning to Dr. Driedzic's letter, it is clear that his stated reasons for banning Professor Thorpe from teaching fall into two categories: (1) allegations of unprofessional behaviour (points 1-6); and (2) policy matters regarding continuing education (point 7).

Let us consider first Dr. Driedzic's allegations of unprofessional behaviour. These in turn can be subdivided into (a) unprofessional behaviour towards women, what Dr. Driedzic labels "female harassment"; and (b) unprofessional behaviour towards the administrators of Mount Allison University.

With regard to unprofessional behaviour towards women, Dr. Driedzic refers to three matters (points 1, 2 and 3) of which he can have no first hand knowledge. It is unclear how Dr. Driedzic obtained all the information on which he bases his three points.²⁵ We have been advised that Dr. Driedzic consulted with at least one former administrator at Mount Allison about point 2, but that former administrator had no recent access to any files at Mount Allison and therefore relied only on his memory of events by then several years old. It seems clear that Dr. Driedzic depends on unofficial files or hearsay (or both), and he does so, however inadvertently, using a language that excites prurient interest. "Female harassment" suggests "sexual harassment" without having to establish that sexual harassment actually took place. In our opinion, Dr. Driedzic's letter does not provide the kind of information that would lead to the conclusion that Professor Thorpe is guilty of "female harassment," whatever meaning might be attached to that phrase.

In relation to unprofessional attitude toward the university, Dr. Driedzic faults Professor Thorpe for not getting along with his colleagues (point 4). Dr. Driedzic returns to Professor Thorpe's unpopularity at the end of the letter in his comments about Professor Thorpe's tenuring, quoting (out of any context) from an unnamed source, some unkind words about Professor Thorpe with which Dr. Driedzic agrees. How Dr. Driedzic knew about events connected to Professor Thorpe's tenuring so many years ago is not indicated. Again, Dr. Driedzic appears to have relied on unofficial files or hearsay (or both).

Dr. Driedzic also faults Professor Thorpe for not properly advising the administration that he was intending to go on strike. It is unclear whether Dr. Driedzic believed that Professor Thorpe had an obligation to take the initiative in providing this information to the administration, or that, as Professor Thorpe indicates in his letter to Dr. Driedzic of April 9, 1998 (quoted above), there was a request circulated by administration to faculty, who were expected to notify the administration of their intention to strike (or not strike) beforehand (point 6). In our experience, it is not customary for faculty to notify administration personally of their intentions to strike. We believe, rather, that it is more usual for administrations to assume that all members are on strike unless individual members of the bargaining unit inform the administration otherwise. It is also, in our experience, unusual for employers to canvass members individually about their intentions before the strike, especially since such interventions might be seen as an unfair labour practice in which the employer is unduly pressuring individual members to stay on the job.

With regard to Dr. Driedzic's allegation that Professor Thorpe received salary during the strike (with its accusation of dishonesty), we note that Professor Thorpe's request to Dr. Driedzic for better and further particulars was never answered. We inquired of Ms. Kristjanson, the lawyer acting for the administration, if she would provide the relevant payroll records to substantiate the allegations of Dr. Driedzic. In her response, Ms. Kristjanson indicated that "assuming they [the payroll records] exist," were we to obtain Professor Thorpe's consent, she would arrange the release of the relevant payroll records. We also asked Professor Thorpe if he had any information regarding the payment to him of salary during the strike. Professor Thorpe advised us (by fax dated 4 January 2000) that he had obtained from his bank copies of statements "for the period before, during and immediately after the faculty strike of early April 92. They show that I was paid my usual half month's salary on 14 April (\$1,818.45), during the strike, and that the over-payment was recovered by the University in that month's second payment, after the strike ended, \$257.22 being paid into my account on 28 April." Having received this information from Professor Thorpe, we did not pursue the matter of payroll records with Ms. Kristjanson.

Professor Thorpe provides an explanation of what, in his view, most likely happened regarding salary payments in his letter to Dr. Driedzic dated April 9, 1998 (quoted above). Whether or not other striking faculty received such payments, or how it was that Professor Thorpe, who made no secret of his support for the strike, should have received salary is a matter that requires more careful investigation²⁶ than that indicated in Dr. Driedzic's letter and most assuredly requires some comment from the payroll office as to its practice during and after the strike. Using a good faith

model, it seems to us unreasonable to attribute to dishonesty what might, with far greater plausibility, be accounted for as a minor confusion that was in any case quickly corrected without any fuss.

Finally, although not one of Dr. Driedzic's official seven points, Dr. Driedzic notes that Professor Thorpe criticizes people and is sometimes rude and other times silent. In any case, Dr. Driedzic doesn't like the way Professor Thorpe deals with the people with whom he disagrees. Since Professor Thorpe deals with most of those people through letters, it is fair to infer that Dr. Driedzic takes exception to some of Professor Thorpe's letters.

Given that so many of Dr. Driedzic's remarks about Professor Thorpe's behaviour concern matters long past, it is surely significant that Professor Thorpe was never disciplined for any offence during his 23 years of employment at Mount Allison. It is equally significant that none of Dr. Driedzic's points addresses whether or not Professor Thorpe performed competently in the inter-session teaching for continuing education in 1997.

The second category, policy matters (point 7), suggests that post-retirement appointments are complicated by tax arrangements relating to the kind of early retirement package Professor Thorpe received. As a reason for banning Professor Thorpe from teaching, it does not adequately take into account that this point applied with equal force in the previous year, when, although retired, Professor Thorpe did teach. It might also be said that payment of personal taxes is, in the final analysis, a matter for the individual, and institutions normally allow employees to make their own choices, and take whatever consequences might ensue regarding the implications of tax rulings relating to "non-standard" payments.

Having carefully considered Dr. Driedzic's stated reasons, it does not seem to us that they provide sufficient explanation for denying Professor Thorpe some teaching through the department of continuing education.

f) The Senate Meeting of April 9, 1998

On the same day as Professor Thorpe's initial response to Dr. Driedzic's letter (April 9, 1998) was sent, the senate met. Dr. Driedzic, who chaired that senate meeting, briefly reconvened the meeting *in camera* during which he read out parts of his letter to Professor Thorpe on April 7, 1998, a letter to which Professor Thorpe had obviously not had time to respond. We have been told by members of senate who were present on April 9, 1998, that Driedzic's reading out of decontextualized extracts from his letter, with no explanation, had the effect of colouring the meaning of Driedzic's letter, especially for those present who had no knowledge of the events alluded to, allowing the most damaging conclusions about the actions of Professor Thorpe to be reached. We have been told by senators who were present that neither substantive questions nor discussion were allowed.

Professor Thorpe's letter of March 25 was distributed, as the secretary to the senate had promised, but, we were told, little time was allowed for it to be read, and it was not discussed. It was, moreover, collected from senators at the end of the meeting. This action also disadvantaged Professor Thorpe because it prevented the scrutiny of his submission²⁷ away from the heightened emotion created by the partial disclosure of the content of Dr. Driedzic's letter.

A few days later, on April 13, 1998, Professor Thorpe wrote again to J.J. Keith, the chair of the board, to complain about the way Dr. Driedzic dealt with his letter to Professor Thorpe at the senate meeting on April 9. Professor Thorpe contends that Dr. Driedzic "took advantage of his position to divulge parts of his letter to members of the Senate, without waiting for my reply. This was, to put it mildly, an abuse of fair process. Although the proceeding was termed 'confidential', his hasty attempt at self-justification will prompt innuendo and gossip, as anyone might foresee. It is, arguably, defamatory." Professor Thorpe has no record of any reply by Mr. Keith.

g) The Executive Committee Does Not Present Thorpe's Name to the Board

The senate recommendations regarding professor emeritus status were submitted to the executive committee of the board of regents on April 14, 1998, six days after Professor Thorpe received Dr. Driedzic's letter, and five days after the senate meeting at which Dr. Driedzic read portions of his letter to the senators (some of whom were members of the executive committee of the board of regents).

In its current configuration, the executive committee is a subset of the board without either faculty or student representation. We were told that the executive committee meeting at which the matter of the two recommendations for professor emeritus were discussed, the executive committee invited a presentation from Dr. Driedzic, an invitation which was highly unusual, and one which, once again, as in the senate meeting of April 9, 1998, provided Dr. Driedzic the opportunity to present his views about Professor Thorpe without Professor Thorpe being able to address those concerns (minutes of the executive committee, board of regents, meeting of April 14, 1998, pp. 2-3). Professor Thorpe had written to the chair of the board of regents, Mr. Keith, on April 13, 1998, asking the board to defer its decision and allow him an opportunity to respond to Dr. Driedzic's additional comments. The executive committee, it is fair to suppose, discussed the senate's recommendations as the other candidate recommended by senate was granted emeritus status. It did not, however, pass Professor Thorpe's name on to the full board. Thus, at this juncture, the senate's recommendation that Professor Thorpe be granted emeritus status effectively passed into limbo.

h) Driedzic Circulates his Letter to Members of Faculty

On April 16, 1998, Dr. Driedzic responded to the faculty petition which had reached him on April 6, 1998 by circulating his letter to Professor Thorpe (April 7, 1998) to everyone who had signed the petition, that is to 80 faculty members (approximately 75 per cent of the faculty cohort). His cover letter provided the following explanation for his action:

I am writing you as one of the signatories to the petition I received on April 6, 1998. That petition demanded that I hire Mr. Michael Thorpe as a teacher within the Continuing Education Department. I am attaching the letter I sent to Mr. Thorpe on April 7, 1998. I regret having to make the matters covered in the letter available in this way, but given Mr. Thorpe's public comments and the petition, I felt you deserved to have the facts as I know them, so that you can draw conclusions on an informed basis.

Teaching requires fulfilling a number of responsibilities. I am of the opinion that teaching responsibilities extend to the classroom and beyond. Respect for our students is one of the most important responsibilities we must all adhere to as teachers.

I had hoped to discuss these matters with Mr. Thorpe personally, but he insisted on the reasons in writing and he has made the issue a university, community and public matter. This is unfortunate. I have tried to refrain from discussing these issues publicly, out of respect for Mr. Thorpe's confidentiality as a former employee; I do so only to correct misinformation, misunderstandings and false allegations that have been perpetuated as a result of this issue.

The committee has concluded that Driedzic's wide circulation of this cover letter with its attachment (Dr. Driedzic's letter to Professor Thorpe of April 7, 1998) was inappropriate for a number of reasons:

1. Until April 7, 1998, Dr. Driedzic had not given Professor Thorpe reasons for his decision to deny him a position in continuing education, and he had not provided Professor Thorpe with a reasonable time in which to respond to Dr. Driedzic's allegations before Dr. Driedzic circulated his letter and attachment.

2. Up to the point at which he sent his cover letter of April 16, 1998 (with attached letter of April 7, 1998), Dr. Driedzic has not explained to Professor Thorpe the position he took before the executive committee when the senate's recommendations for professor emeritus were discussed.

3. In the cover letter of April 16, 1998, Dr. Driedzic states, "Respect for our students is one of the most important responsibilities we must all adhere to as teachers." To the committee's knowledge, at no time has Dr. Driedzic made any specific allegations against Professor Thorpe suggesting that he does not have respect for students; nor has he given Professor Thorpe an opportunity to respond to such allegations.

4. Dr. Driedzic suggests that he is correcting "misinformation, misunderstandings and false allegations that have been perpetrated as a result of this issue." It is the committee's conclusion that Dr. Driedzic did not inform Professor Thorpe as to what misinformation, misunderstandings or false allegations Dr. Driedzic was referring to and, accordingly, Dr. Driedzic did not give Professor Thorpe an opportunity to respond and perhaps to clarify these matters.

5. Finally, Dr. Driedzic goes on to say, "you should be aware that the University also has a responsibility and a right to protect its reputation when it is under unfair public attack and will do so in this case if in our judgment that becomes necessary." While the committee

agrees with the substance of this statement, nevertheless, in context, it appears to be a veiled warning to Professor Thorpe that he must be careful in what he says about the university.

i) Thorpe's Rebuttal of Driedzic's Letter

On April 21, 1998, Professor Thorpe produced a nine page, point by point rebuttal of Dr. Driedzic's letter of April 7, 1998. Professor Thorpe begins by commenting on the following matters, which we present in point form:

1. the procedural unfairness in the way Dr. Driedzic delayed responding to Professor Thorpe and then circulated widely his letter;
2. the totally negative construction which Dr. Driedzic placed upon Thorpe's words and actions; and
3. the stripping away of the context from each of Thorpe's words and/or actions that Dr. Driedzic criticizes.

These seem to us fair criticism of the Driedzic letter.

Professor Thorpe then responds to each of Dr. Driedzic's points. Having quoted Dr. Driedzic's points in full, we shall quote extensively from Professor Thorpe's letter. After each of Professor Thorpe's points, we offer observations.

i) Thorpe's rebuttal of Driedzic's point one. About the "uncontested letter of reprimand," Professor Thorpe comments:

This took place during the MASA strike. I invite readers to compare Stewart's letter [Feb. 9, 1994] with your summary. Yours specifies a female, to make a particular, negative effect; unlike Stewart's letter, it makes no mention of my participating at the time in a demonstration numbering perhaps 50 people — members of MASA, MASA and sympathetic students. Rather, your edited version could be read as suggesting that I alone harassed a student. In such a demonstration I was scarcely conscious of those leaving Cranewood as individuals, both male and female, to whom we routinely addressed the good-natured invitation to "Come and join us!"

It seemed by no means insignificant that I alone among that crowd received the letter of reprimand, copies of which I distributed later among union members. Was I alone recognizable — to that student, or to whom I certainly wore a conspicuous long and tattered fur-coat? Be that as it may, there are several persons who can bear out my account, and who felt it was no mere accident that I was singled out for the letter. To repeat, how striking though are the differences between that Stewart letter and your selective wording!

Subsequently, in a letter to the Board, Professor Arthur Motter, a former Academic Vice-President, wrote:

It is not appropriate for a minor bureaucrat to write a formal letter to anyone as distinguished academically as the Joseph Alison Professor of English and threaten him with disciplinary action for daring to demonstrate with students on the lawn of the house which the current President is given to live in with his entertaining companions.

Nicely put, though I'll hardly agree.

This reprimand was "uncontested" because it seemed pointless to add to its inflated significance.

Like Dr. Driedzic and Professor Thorpe, we have scrutinized the letter written by Mr. Stewart in 1994. Whereas Dr. Driedzic and Professor Thorpe understand it as a letter of reprimand, we are less certain what its status is. Mr. Stewart's own syntactic construction of the action is conditional. He says, in effect, that, were it not for the fact that there were students involved, the administration would discipline Professor Thorpe. Put another way, because there are students involved, the administration is not disciplining Professor Thorpe. Stewart's letter is not, in our opinion, a "letter of reprimand" in the technical disciplinary sense that one usually finds in collective agreements. It is a letter critical of an action by Professor Thorpe.

Professor Thorpe is surely right to wonder why he was singled out from the crowd. We spoke to several people who participated in that demonstration, and they remember it as an upbeat event in which all exchanges between demonstrators and those leaving the president's residence were good-humoured. They assured us that Professor Thorpe's behaviour was no different from anyone else's; that he neither said nor did anything different from what everyone else was doing. In essence, the people with whom we spoke who had been at that demonstration confirm Professor Thorpe's version of the events.

Professor Thorpe is also right to point out the differences between Mr. Stewart's version of the event and Dr. Driedzic's. Mr. Stewart's letter and Dr. Driedzic's letter do not say the same thing. Neither had first hand information, it is true, but Mr. Stewart's letter at least had the benefit of proximity to the event. Dr. Driedzic's letter is written many years later, and fil-

tered through either material in unofficial files or scuttlebutt (or both). The insistence by Dr. Driedzic on identifying the gender of the student mentioned by Mr. Stewart when he had not specified a gender has the effect, as Professor Thorpe notes, of making Professor Thorpe appear a sexual harasser.

ii) Thorpe's rebuttal of Driedzic's point two. Professor Thorpe comments on "A further incident of female harassment" as follows:

There's a larger context to this, in particular my problematic relations with an occasional Department member during my headship. I differ from you, however, in considering that the person's name, that of a third party, should not have been used in your letter. I shall, therefore, not enlarge upon that aspect. (Before you hastily circulate your letter on the 16th, I had already prepared a copy substituting Dr. X for the name.) Suffice it to say that I have this particular ex-student's permission to state that she was, indeed, upset by my phone call, as she told me frankly at the time, because apparently she was suffering acutely in her personal life, trying to graduate whilst living in constant fear of someone else, a situation now past.

She does not, however, consider the phone call "female harassment," and finds it offensive to have been used by the university Administration in this manner without her knowledge or consent.

I was relieved to learn this, as I had not been able, from her reaction at the time, to square it with her feeling harassed. I did not call her again, though both before and after I had emerged from an interview with President Ian Newbould and Vice-President Louis Visentin, I would have liked to do so. Had I done so, she might indeed have felt "harassed."

I do not recall my wife being mentioned by my inquisitors, nor that she and the third person you name were in the running for a Dept. position, though that person was a candidate for a position outside the Department. She and my wife were, sometimes, both candidates for a stipendary position, but in such cases, not only did I absent myself from Departmental discussion, but I knew that this particular person, with a Ph.D., would automatically get preference (as happened on an occasion when in February 1994, though the Dept. nominated another "departmental wife" for a language instructor's job, for which she was by experience best qualified, its choice was overridden by Dr. Visentin). My wife did have a competitor, in the Departmental field, with qualifications equal to hers, whom the Department chose for a number of stipendary positions.

A piquant footnote to this is suggested by the presence of Dr. Visentin as an arbiter of "unprofessional conduct": his published denigration of "55-year-old professors" as candidates for the position of Director of Canadian Studies, on which bias I organized in April 1995 a letter of protest to the President with eight signatures, and his undue written dereliction to my wife's university in November 1994 that she was then "applying" for a position, so that he could obtain her credentials (though Mount Allison already had them, and she was never informed of his enquiry by him), are two examples whose impropriety disqualify him from judging such matters. If Dr. Newbould's qualification I will not speak. Against this background, your high moral tone is misplaced.

What Dr. Driedzic alleges is that Professor Thorpe called a student, and the student complained to senior administration. Senior administration spoke to Professor Thorpe, but took no disciplinary action. Professor Thorpe's rebuttal grants that he called a student. Unlike Dr. Driedzic, who has no first-hand knowledge of the event, Professor Thorpe was a participant. But he does not only rely on his memory of the event; he states that he has checked the matter out with the former student. He then offers the explanation that the student was upset, but that was because she was living through a difficult time and was indeed being harassed ("living in fear") but of someone else (i.e., not Professor Thorpe). Stripped of all commentary by both Dr. Driedzic and Professor Thorpe, this seems to be the nut of the second point.

iii) Thorpe's rebuttal of Driedzic's point three. According to Professor Thorpe, Dr. Driedzic's concern about the use of a four-letter word is misplaced:

This item is the most trivial you have presented. Again, you cite it out of context, with distorted detail, and total ignorance of the literary background, although this was fully discussed with Dean Brian Ellard. It arose from a linguistic explanation of why the word "quaint" in Andrew Marvell's "To His Coy Mistress" has been interpreted in a double sense, carrying both the meaning familiar to us and a punning allusion to the "female pudenda" (see Andrew Marvell The Complete Poems, ed. Elizabeth S. Domon); it is referred to the Middle English "quynete," used in Chaucer's "Wife of Bath's Tale." I avoided uttering the word, and wrote it up — but not in "large letters across the board." Your account, omitting all context, is shallow and misleading.

I have explained this, in various classes, before perhaps 1000 students, most of them, being English students, women. This student's objection, then, was a rare case, which caught up with me after 20 years' teaching: I considered her, as I told Ellard, ultra-sensitive and atypical. He, incidentally, did not think it important enough to mention in my annual evaluation, wherefore it's doubly inappropriate of you to revive it now.

A university is an institution catering to young adults, of whom most commonly hear such language and some, alas,

use it. Offensive to women, you assert, of course, in certain contexts, but a student who heard the same explanation from me in class commented recently she was not in the least offended, much less "harassed." Accusations like these debase the true meaning of Harassment. Nor in teaching literature should we judge our material. Blame Marvell, Shakespeare (see Eric Partridge, Shakespeare's Bawdy), Chaucer — or Ginsberg, whose "Howl" should then be unteachable, with such phrases as "a vision of ultimate cunt," a poem I have often discussed in poetry classes, and what are we to do with Angela Carter or Marianne Engel, women writers who themselves use the word freely?

I believe the student concerned grew out of it, or was not deeply afflicted; she continued in my course, participated, and did quite well. I did not in any way "censor" my classes for her sake.

Professor Thorpe produces an erudite, convincing and interesting explanation of the word in the context of Marvell's poetry. Had Dr. Driedzic known the context provided by Professor Thorpe, we cannot imagine that he would have included this matter in his letter. In condemning Professor Thorpe's use of a word and basing a punitive action against him, at least in part, on his use of that word, Dr. Driedzic appears to us to have violated Professor Thorpe's academic freedom.

iv) Thorpe's rebuttal of Driedzic's point four. Professor Thorpe takes up Dr. Driedzic's allegation that relations between Professor Thorpe and the other members of the department are strained:

While it is, regrettably, true that my differences with my Department were "bitter" from November 1994 until I began my sabbatical year in July, '96, it is a gross distortion to ascribe these to "ongoing efforts to secure an appointment ... for [my] spouse." During that period, my particular concerns related to my wife were twofold: the Department's unwillingness, after its initial protest, to continue supporting my wife strongly in the Writer-in-Residence affair in order to avoid jeopardizing relations with the Administration; and secondly, I objected to its new Continuing Education policy, withdrawing approval it had previously given her to teach at the 2000-level, approval also denied the similarly qualified candidate mentioned above, whose teaching I have always supported. This policy was, and remains, inequitable, in the university-wide context, since in other departments several people without a Ph.D. have taught, and are teaching, at the 2000 and higher levels in some cases. This anomalous situation continues. These were the issues during the period when I found it impossible to continue attending Department Meetings. ... "Securing an appointment for my spouse in the Department" inaccurately describes my concerns in my wife's behalf at that time. In the preceding years of my second headship (1988-1993), I have quoted colleagues' positive evaluations, copied to me, in which note "integrity"

You assert that there's a crucial "lack of mutual respect" which would make it impossible for me to teach "on a stipend basis." It isn't so simple; nothing is as simple as you make it. If your argument is so compelling, how is it that the Department approved my teaching Continuing Education courses in both 1997 and this year (before your veto) and my preparing courses for the correspondence programme? Unlike you, it seems that the Department can separate our past differences — "past" inevitably became "I'm out of the Department" — from my fitness to continue teaching. I respect that — and the fact that, on my retirement, it took the unusual step of inaugurating a library fund in my name, demonstrating a capacity to transcend our differences. This sharply contrasts with your expectation that there would, or should, be an unrelenting vendetta. Recently the tenured members, and one other, signed the faculty petition, a generous gesture I have acknowledged....

In his letter to Professor Thorpe, Dr. Driedzic appears to be arguing, at least in part, that because there have been difficulties between Professor Thorpe and his colleagues in the department, Professor Thorpe ought not to teach. Professor Thorpe responds by saying that, whatever the difficulties, the department recommended him for the teaching. If the department is to be the measure, then Professor Thorpe has logic on his side. We spoke to former colleagues of Professor Thorpe in the department of English, both those still in the department and others who have retired. Although many saw some of Professor Thorpe's actions through a critical lens, all respected him and all deplored the behaviour of senior administration in denying him the post-retirement teaching.

v) Thorpe's rebuttal of Driedzic's point five. Professor Thorpe here addresses Driedzic's admission that he regards at least some of Professor Thorpe's criticisms as unacceptable.

I thought this was not about my public criticisms? Clearly, the "spin" here is that this particular letter (not "editorial"), shows "disrespect" for Senate. On that occasion, I do not deny that it did, but Senate is a protean body, which can act wisely; sometimes it seems to stumble and lose all vigilance. Sometimes, as when on April 9th you exploited your position in Senate to attempt to discredit me by divulging parts of your letter to me, I am appalled at how malleable the Senate can be — as I know many are — and I fought for the Senate's prerogatives, as a Senator for many years, as a Department Head and as a twice-elected

Report
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Committee
of Inquiry
into a
complaint
by
Professor
Michael
Thorpe

Faculty Representative. ... [i]f any action showed "disrespect" for Senate, using it for self-serving ends, that was yours on 9th April. It disqualifies you from lecturing me on that subject ...

Dr. Driedzic objects to Professor Thorpe's criticism of senate; Professor Thorpe objects to Dr. Driedzic's criticism on the grounds that senate is sometimes a reasonable place and sometimes not. In any case, Professor Thorpe's criticism to which Dr. Driedzic specifically objects is protected by Professor Thorpe's academic freedom. It seems absurd to have academic freedom to criticize, and then, after retirement, discover that such protected speech becomes the justification by which further relationship with the institution is prevented.

vi) Thorpe's rebuttal of Driedzic's point six. Professor Thorpe takes up here as in his letter of April 9, 1998 (discussed above), Dr. Driedzic's allegation that he dishonestly received salary while on strike:

I have already queried the details of this in my initial letter of response ... the explanation for this accusation is patently absurd to suggest that a person who was so prominently on strike, on picket lines, and the author, during the strike of a lengthy letter to the local press, which appeared in the 15th April 1992, issue of *The Tribune Post* ... would stupidly misrepresent his activity in the "dishonest" fashion you claim. If your whole approach were not negative in its bias, you might have seen that, if there was an error on my part, it was an honest and inadvertent one — but your letter lacks, throughout, all trace of impartiality. Further, I wonder why, if the "University" considered it could produce evidence I had attempted to defraud it, it did not prosecute, or at least take disciplinary action six years ago. To this letter's date, you have not replied to my letter of 9th April seeking adequate documentation.

We have seen no evidence to suggest that Professor Thorpe ever proceeded in an underhanded way. On the contrary, we think that he has been made to pay a price for his openness. His opinions on a great many issues are a matter of public record; that, indeed, is one of Dr. Driedzic's complaints. We therefore think that some confusion arose about whether Professor Thorpe was on strike, a confusion he helped to create by responding to an enquiry from the administration with the literal truth that he was not on strike when the issue was whether he was going to be on strike. Nevertheless, when it was realized that he was on strike, a fact he did nothing to conceal, the amount that had been wrongly paid to him was deducted from his next pay check. No one at that time appears to have pursued the matter, a fact which we interpret as support for our theory of confusion.

vii) Thorpe's rebuttal of Driedzic's point seven. About tax restrictions, Professor Thorpe remarks that he does not "think this restriction would extend to occasional, brief stipendiary appointments." It seems to us that Dr. Driedzic's concern with tax policy was designed to exclude Professor Thorpe, not to honour some nebulous tax laws or regulations. In the end, a decision about how to deal with the tax implications of a part-time teaching position ought to be left to the discretion of the individual employee.

viii) The rest of Thorpe's letter. Thorpe's letter continues for several more pages, providing by extensive quotation, documentation of his qualities as a teacher. Based on our discussions with former students, we have heard similar positive assessments. The letter ends with a note of caution about Professor Thorpe's "official file." Having sought to clarify and verify aspects of his rebuttal by accessing his official file, Professor Thorpe indicates that he was told by the vice-president administration that since he was not an employee of Mount Allison, there was no such file. To test this assertion, we asked a retired colleague who came to speak to us if he would request his file, which he did. He told us that he was informed that he could not have access to his file because it had been put into storage. Such a response suggests, and it is only common sense, that the files of former employees are kept. It may be that the official and personnel files are merged, archived and renamed, so that, technically, an "official file" and/or a personnel file does not exist after a faculty member retires; but it is, in our opinion, highly unlikely that all material pertaining to a retired faculty member disappears from the university at the moment a faculty member retires. Whether additional material not previously found in either the official or the personnel file is placed in such a post-retirement file is unclear. Given the unverified allegations in Driedzic's letter, however, it seems likely that material not in either the official and personnel files is placed in the newly created post-retirement archival file.

j) Appeal to CAUT

On April 23, 1998, Professor Thorpe appealed to CAUT, setting in motion a process which ultimately led to this inquiry.

k) Thorpe Applies for a Teaching Position in 1999

Professor Thorpe again applied for teaching in 1999. The new vice-president (academic), Dr. Peter Ennals, responded by saying that it was the policy to give preference to current faculty rather than to those who had retired.²⁹ This policy is a somewhat different one than the one(s) enunciated by Dr. Driedzic, but the result is the same, Professor Thorpe has no teaching.

l) Thorpe's Name is Submitted by Senate to the Board in 1999³⁰

On April 8, 1999, another motion was introduced in senate recommending Professor Thorpe for professor emeritus status. Once again this motion passed. As part of the motion, the senate sought an explanation from the board of their failure to grant professor emeritus status to Professor Thorpe in 1997. The board did not respond, and the board did not award the title of professor emeritus to Professor Thorpe.

The awarding of the title of professor emeritus in 1999 was also marked by the refusal of Professor Charles H.H. Scobie, who had held the position of Cowan Professor of Religious Studies, to accept the title because of the refusal of the board to bestow that same title on Professor Thorpe.

ing position to Professor Thorpe because he expressed opinions that the administration did not like was an action which violated Professor Thorpe's academic freedom.

We believe, moreover, that it is not just the academic freedom of Professor Thorpe that has been violated. Whether consciously or unconsciously, in making of Professor Thorpe an example of what may happen to those who criticize, the senior administration creates a climate of fear that inhibits the academic freedom of all faculty employees at Mount Allison University. Many of the people with whom we spoke expressed such concerns to us. This matter was first raised with the administration on March 10, 1998 at Joint Liaison Meeting 114. At that time, the "Association's representatives noted the danger of creating a 'climate of fear' if past criticisms and expressed opinions were used as criteria to rule out applicants for Continuing Education appointments" (p. 2). The administration made no response.

The situation with regard to the granting of professor emeritus status to Professor Thorpe is, we think, slightly different from the matter of his being banned from teaching. The criteria for granting the title are well-known, as is the process. The fundamental requirements for emeritus status are attaining the rank of full professor and 10 years or more of service at the university. Professor Thorpe had more than 10 years service at the rank of full professor when he retired. The collegial process depends on those years of service. There is in the collective agreement a clause on collegial rights, 10.01. It reads:

The Employer recognizes that employees have heretofore been involved in various collegial processes and the Employer will continue to utilize collegial processes where it deems appropriate.

In reading portions of his letter on Professor Thorpe to senate without providing Professor Thorpe an opportunity to rebut the charges and in addressing the executive committee of the board of regents without providing Professor Thorpe with a chance to answer the concerns which we believe were raised by Dr. Driedzic, Dr. Driedzic subverted the collegial process by which the title of professor emeritus is granted.

8 Committee of Inquiry Conclusions

Because the details of the Thorpe case are convoluted, complicated by the troubled and troubling relationship between faculty and administration at Mount Allison University, we have gone to considerable lengths and great specificity to describe what happened. We have attempted to retain a more-or-less chronological ordering for clarity and cohesion. The broad picture, though, is remarkably simple. Michael Thorpe, a widely published scholar and poet and a highly regarded teacher, was denied a minor and part-time teaching position with a salary amount of less than \$4,000, and he was, almost at the same time, denied professor emeritus status, a purely honorary title. Professor Thorpe said the reason for this action was his persistent and public criticism of the administration. The administration said that he had freedom of speech (Keith), but that he harassed women students (Driedzic); that his department didn't like him (Driedzic); that he did at least one dishonest thing (Driedzic); that he criticized the administration in an unprofessional manner (Driedzic); that he was rude (Driedzic); that he was silent (Driedzic); and that the administration had, apparently unwritten, policies about taxes (Driedzic) and recruitment (Ennals), policies that changed from time to time, but which all seemed to exclude Professor Thorpe from teaching.

Professor Thorpe effectively rebutted all the personal reasons for denying him a teaching position. In the absence of other (not yet stated) reasons, we find it difficult not to conclude that Professor Thorpe was denied the teaching and the emeritus status because he spoke his mind in senate, and because he wrote openly critical letters about the administration which were published in various newspapers. We note, once more, that Professor Thorpe is a polemical writer of considerable skill, a talent less obvious in his opponents, and a skill hardly likely to endear him to them.

Were Professor Thorpe still an employee of Mount Allison University, most of the reasons given for denying him a teaching position would be regarded as violations of his academic freedom and the collective agreement clauses related to academic freedom. His treatment would be subject to grievance and arbitration procedures. The failure of the senior administration to discipline Professor Thorpe while he was a full time employee suggests that senior administration recognizes the strength of the collective agreement protections. Without them, the senior administration apparently believe that Professor Thorpe has no academic freedom rights.

We do not agree. We believe that academic freedom inheres in the idea of a university, and affects all aspects of the university's interactions. It is entrenched in universities in which the faculty is certified by collective agreement language. Nevertheless, academic freedom exists in non-unionized universities as well as unionized ones. The denial of a teach-

9 Committee of Inquiry Final Thoughts

There is little doubt in our minds that the central issue in the Thorpe case is one of academic freedom. Academic freedom, accepted in all secular Canadian universities as essential to the creative life of the university, includes, but is not confined to, the right of academics to criticize the running of the institution.

The administration of Mount Allison University is a party to a collective agreement which emphasizes the importance of academic freedom yet members of the university's senior administration by their actions seemingly did not understand or could not accept the freedom to criticize it that such a concept provides for. Professor Thorpe exercised that right and we believe we have adduced evidence sufficient to demonstrate that he was punished for exercising that right. He was punished moreover after he had retired from the university.

It could be argued that Professor Thorpe's criticisms were too polemical and abrasive, even ungentlemanly, though that is not our personal opinion. Vigorous, yes; offensive perhaps to some, but certainly those criticisms were not beyond the freedom promised by the theory and practice of academic freedom in Canadian universities since the Second World War. We have noted that the president of the university, Dr. Newbould, and others, especially the then vice-president (academic) Driedzic, responded negatively to criticisms offered up by Professor Thorpe. We believe that they had every right to say that they were offended; after all, they too have academic freedom. We believe however that the senior administration and the board of regents in doing what they did to Professor Thorpe after he left the institution breached his academic freedom and offered a clear threat to the academic freedom of other faculty members.

At other institutions where situations similar to the Professor Thorpe case arise the administration and board, wisely in our view, accept the rough and tumble of healthy debate and accede to criticism where they think appropriate. It is our view that those who cannot tolerate the practical implications of academic freedom should seriously question whether they should be participating in university life in any capacity or at any level.

Responses to the Committee of Inquiry Report

Prior to any publication, the CAUT executive writes to the principally interested parties and invites them to supply a commentary to be published alongside the report. Included below are responses received from Michael Thorpe and the Mount Allison Faculty Association. Mount Allison University declined to respond.

a) Michael Thorpe

The report was scrupulously researched and carefully written, its conclusions just and its findings positive.

I have one reservation about the latter. The committee urges that I "receive fair consideration" in applying for teaching positions in the department of continuing education. My right to teach there was denied abruptly by Dr. Driedzic just before the 1998 spring session, when my course was already scheduled. Four years have since elapsed, and I no longer wish to teach. My reason for doing so in 1998, as the vice-president academic well knew, was that I needed extra income to relieve the cost of my son's critical illness. That lasted three years and was a heavy drain on my resources. While it's uncertain how many teaching opportunities would have arisen, the ban did deny me needed income, for which an appropriate remedy would be financial compensation.

Both Dr. Driedzic and the former president, Dr. Newbould (who refused to cooperate with the committee of inquiry) having now left the university, it was hoped the new president, well reputed in the human rights field, would ensure the report was quickly acted upon. That hasn't happened. The report was

sent to all parties in mid-August 2001, but even by March 8, 2002, the generous deadline set for a resolution, none was offered, and president MacKay seems to have distanced himself from the matter. CAUT's expectation that the report would be discussed by concerned parties was not met. While I have been in close touch with the Mount Allison Faculty Association president, neither the university president, nor any member of the board has contacted me.

The board, which played a crucial role in backing the former vice-president academic's and president's actions, has apparently seen no urgent reason for remedy, despite the defamatory nature of the allegations made against me, uncritically accepted by board members. The emeritus issue has been obscured by focusing upon discussion, in parallel board and senate committees, of the "criteria" for emeritus status — ignoring the salient facts in my case, that I was nominated by the senate, on the advice of its committee on emeritus appointments, in accord with the criteria then valid. Revising the criteria may affect future appointments, but reviewing mine should depend rather on the board's willingness to absorb the report's findings and to concede that an injustice was done in 1998, for which the past president, vice-president academic and board itself were equally responsible. A prompt remedy would also free two former colleagues, who declined to accept their emeritus appointments in selfless support for me, to receive their honours.

I welcome the report's publication, chiefly for two reasons: it is the only way to clear my name, in black and white; and it illustrates clearly the unethical conduct to which some entrusted with responsible positions will stoop.

b) Mount Allison Faculty Association

The Report of the Committee of Inquiry into a complaint by Professor Michael Thorpe confirms what the Mount Allison academic staff knew: a distinguished colleague was denied the opportunity of post-retirement part-time teaching and rejected for professor emeritus status, although he had been recommended for the first by his former department and for the second by the senate of the university. These actions by officers of the university, supported by the board of regents, were unprecedented, and clearly related to Professor Michael Thorpe's outspoken and public criticism of the university administration. When these actions were questioned, the damage to Professor Thorpe's reputation was compounded by the widespread circulation of concocted charges without his having the opportunity to confront his accusers before an impartial body.

Some of those most directly responsible for these actions are no longer officers of the university. The new president and some leading members of the board recognize the injustice that was done and have made sincere efforts to resolve the issue. President MacKay has established a cooperative and productive relationship with the faculty association since his appointment. We will do our best to continue to strengthen this relationship in the interests of the university.

Unfortunately, some members of the board continue to fail to recognize their errors or the serious violations of academic freedom which their actions represent. The Mount Allison Faculty Association regrets the failure to resolve this issue and compensate Professor Thorpe for lost employment and damage to his reputation. Publication of the report of the committee of inquiry is left as the only way to provide some redress.

Endnotes

1. Roger Gannon, a retired associate professor of English who formerly taught at Glendon College, York University and Bernice Schrank, a professor of English at Memorial University of Newfoundland.

2. Professor Thorpe taught in the department of English at Mount Allison University from 1974 until his retirement in 1997.

3. Although the CAUT Academic Freedom and Tenure Committee did not define what it meant by "the principles of natural justice," the committee of inquiry understands the phrase to include, but not be limited to, the following two questions: (1) was Professor Thorpe given an opportunity to know the allegations made against him and to formally respond to them? and (2) were the allegations of the administration made formally by known procedures and in a timely manner?

4. At Mount Allison University, faculty members move in and out of the bargaining unit as they accept limited term administrative appointments. As well, department heads, although members of the bargaining unit, carry out administrative duties. Amongst the faculty members we interviewed were former vice-presidents, deans, department heads and former department heads. We base our finding that "unofficial" files exist (that is, all the material that is not part of the "official file" or the "personnel file") on their statements to us that they had (or have) and use such files. We find such statements credible because they are consistent with our own experience that departments and faculties keep miscellaneous information about classes taught, vacation schedules, sick days, grant applications and the like in the offices of deans and/or department heads.

5. Similar letters were sent to Dr. Driedzic, Dr. Newbould, Dr. Errnals, Mr. Stewart and Mr. Dykeman.

6. CAUT investigators are invited by the CAUT Academic Freedom and Tenure Committee to participate. CAUT covers the cost of travel, meals and lodging only. There is no other payment.

7. The apparent discrepancy between the number of interviews and the number of persons results from the participation of several persons at several of our interviews.

8. For more extensive treatment of this strained relationship, see the report of Professor Fred Wilson to CAUT. Wilson is a professor of philosophy at the University of Toronto and a former president of CAUT. He was sent by CAUT at the invitation of Mount Allison Faculty Association to examine the governance of Mount Allison University. The report of his findings was released in 1997. Although the report is critical of both the administration and the faculty, it gives more emphasis to the role of adminis-

tration in the maintenance of what Wilson regards as a stressed and perhaps even dysfunctional relationship.

9. Michael Thorpe, "What Maclean's Did Not See at Mount Allison University," CAUT Bulletin, Vol. 42, No. 3, March 1995 p.1; 5.

10. This view is supported in the press. See, for example, the *Telegraph Journal* article by Jacques Poitras of Feb. 9, 1994, "Mt. A. strike blamed on poor fiscal management," p. A10. Also see the *Sackville Tribune Post*, Feb. 11, 1994, "Mt. A. strike turns ugly. Replacement workers hired; picketers allegedly struck," p. 1; 10. The Mount Allison Faculty Association is reported as having given a \$5,000 contribution to the Mount Allison Staff Association strike fund.

11. The matter of discrimination on the basis of union activity was taken to arbitration. The arbitration board found that there was discrimination and no conflict of interest in such an appointment. The board also found that the president of the university had other reasons for not appointing the president of the faculty association to the position.

12. It is important to note that, at Mount Allison University, faculty council is chaired by the president of the university. In many other Canadian universities, deans and directors chair such meetings. What this means is that the president more frequently interacts with faculty in situations in which debate and disagreement are understood to be a normal part of academic discourse than presidents of other Canadian universities. It is the perception of many of Thorpe's colleagues that Professor Thorpe was a fearless, persistent and articulate, even eloquent, opponent of various administrative initiatives in faculty council and in senate. We have been told that, while others offered resistance to administration policies, their opposition was issue-specific. Professor Thorpe, we were told, more than any other member of faculty, pursued both the administrative style of the university president as well as administration policies on many occasions and in many forums including faculty council and senate. Consistent with this overall assessment, Professor Thorpe did not hesitate to lend his voice in favour of the motion of non-confidence.

13. Professor Scobie would, in 1998, refuse to accept the title of professor emeritus because, in his view, it had been unfairly denied to Professor Thorpe.

14. It should be noted that Sackville is a small university town, population about 6,000, and many spouses, if they choose to work, seek and often find employment with the university because it is the largest employer in Sackville, and, for many spouses, the only employer for their partic-

ular skills. Moncton, which is nearby and much larger, requires bilingual skills for many positions.

15. Katie Tower, "University Appealing Decision in Elgaard Case," *Sackville Tribune-Post*, Feb. 9, 2000.

16. We were told that a ninth colleague wrote independently to Dr. Newbould on the same matter, and received a separate reply.

17. The exchange illustrates equally well the degree to which Professor Thorpe appeared to dislike the president's actions.

18. Professor Thorpe is here referring, presumably, to strong faculty support for the candidacies of William Godfrey and Sheila Brown for president of Mount Allison.

19. See footnote 8.

20. To what "it" refers is not clear in the text, but most probably means the ban on Thorpe's teaching.

21. Note that Professor Thorpe assumes the granting of emeritus status to be a "done deal."

22. The reporter is here referring to the Wilson report of October 1997 discussed above.

23. Our finding is different from this position. As we have already indicated, we believe the granting of emeritus status was based exclusively on having attained the rank of full professor and on having served the requisite number of years as a faculty member at the university.

24. The reader may have a little problem with these lines. We do not believe that the concept of defamation by silence is one that has widespread acceptance.

25. We were unable to obtain clarification regarding documentation of these matters from Ms. Kristjanson.

26. The onus to investigate is surely on the person making the charges.

27. Although Professor Thorpe's submission to senate preceded Dr. Driedzic's letter of April 7, 1998 by nearly two weeks, and so does not address the points raised by Dr. Driedzic, it did bring to the attention of senate the pre-emptory manner of his dismissal from teaching.

28. Nearly everyone to whom we spoke, from whatever faculty, gave it as their opinion that the department of continuing education had difficulties with recruitment in 1999 just as they had in the past.

29. His name was also put forward in May 2000 and again in March 2001 (as recorded in the senate minutes for those meetings). At the writing of this report professor emeritus status had not yet been conferred on Professor Thorpe.

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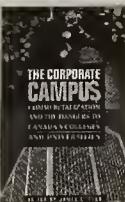
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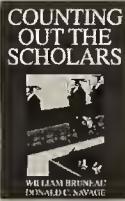
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A World of Opportunity

Pursue or further your academic career in engineering and computer science, in the exciting city of Montreal!

Due to the Faculty's steady growth in student enrollment in the Information Technology programs, we are seeking to hire faculty members. Join our dynamic Faculty, comprised of 122 faculty members and close to 100 support staff, renowned for its congenial atmosphere and excellence in collaborative research environment.

On the cutting-edge of innovation, the Faculty places strong emphasis on teaching, fundamental and applied research, and interdisciplinary research partnerships. As well, the University has put in place several programs, which provide seed grants for faculty members' research in the beginning years.

Montreal is currently enjoying high growth in the software industry's main areas of development, especially in telecommunications, aerospace, software development, and multimedia. The city is rapidly gaining a reputation as one of Canada's leading high-tech centers, offering ample opportunity for industrial collaboration.

Concordia University is located in downtown Montreal, a vibrant city noted for fine restaurants, excellent entertainment, and an urban setting with many opportunities for a rich social life. Montreal combines the excitement of a modern, multi-cultural city with affordable housing and easy access to outdoor activities. It is also noted for its four major universities and more than two hundred local high-tech companies.

Academically, being competitive and industry-oriented, Concordia's engineering and computer science programs feature a Co-op option, which provides students with invaluable work experience while completing their degrees.

Computer Science

The Faculty invites applications for several tenure-track faculty and instructor positions in the general area of computing and communications. The new positions require a PhD degree in Computer Science or a closely related field, completed or near completion. At the Assistant Professor level, we seek a recent graduate with some publication record, strong research potential, and the ability to teach effectively at all levels. At the Associate Professor level, a strong record of accomplishment in both research and teaching is required.

The core strengths of current faculty members include databases, human-computer interaction, machine intelligence, real-time systems, and networks and communication protocols. Emerging areas of interest in the Department of Computer Science include, but are not restricted to, software, scalable information infrastructures, large-scale information management, network computing, computational science and information-systems security.

Software Engineering

The Department of Computer Science started the new undergraduate Software Engineering degree program in September 1998. This four-year program covers the specification, design, implementation, and maintenance of large-scale software,

as well as management issues concerned with the production of such software. There are several faculty members in the Department working in the areas of software specification, design and reuse, quality assurance, static software architecture, conformance checking, and user interfaces.

In the area of Software Engineering, the Faculty invites applications for several tenure-track faculty and instructor positions. The new positions require a PhD degree in Computer Science or a closely related field, completed or near completion. At the Assistant Professor level, we seek a recent graduate with some publication record, strong research potential, and the ability to teach effectively at all levels. At the Associate Professor level, a strong record of accomplishment in both research and teaching is required. The ability to be registered as a professional engineer is considered an asset.

Mechanical and Industrial Engineering

Tenure-track and limited-term appointment positions will be available for both Mechanical and Industrial Engineering in the coming year.

The Mechanical Engineering undergraduate curriculum consists of a combination of core courses with a series of technical electives in one of the following four option areas: thermo-fluid and propulsion engineering,

design and manufacturing, automation and control systems, and aerospace and vehicle systems.

The Industrial Engineering program, the only English language program of its kind in Quebec, is designed to give students the background needed to define and solve problems related to the design, improvement, integration and implementation of industrial systems and processes.

These established programs benefit from the well-funded research activity of three research centers focusing on industrial control, vehicle engineering and composites, as well as a strong thermo-fluids group. Faculty members whose expertise lie in these areas have close relationships with local industry and their strong research activities enjoy excellent support from the manufacturing sector and other industries in Montreal and surrounding areas. The Faculty's recent efforts led to the establishment of the Concordia Institute for Aerospace Design and Innovation (CIADI), which is funded by leading aerospace companies in Montreal, and complements the MEng in the Aerospace Engineering program.

Electrical and Computer Engineering

Applications are being accepted for tenure-track positions in Electrical and Computer Engineering, particularly communications engineering, preferably with teaching and research

interests in one or more of the following fields: computer communications, wireless communications, optical communications, signal processing, communications protocols, computer architecture, power electronics, real-time (embedded) systems, software engineering, and VLSI. Successful applicants should possess a PhD, and have demonstrated their commitment to excellence in teaching and research. An undergraduate degree in engineering is an asset.

At the undergraduate level, the Department offers accredited programs in Computer Engineering (with options in Systems Hardware and Systems Software) and in Electrical Engineering (with options in Telecommunications and Electronics/Systems). The Department also offers graduate certificates, a course work master's program and research-oriented master's and PhD programs. There exist strong research groups in a number of areas including telecommunications and signal processing, analog and digital ASIC design, semi-conductor device technology, power electronics, design and control of real-time systems, and electromagnetic computation. Other groups are being developed notably in the development of software applied to telecommunications, such as communications protocols, real-time systems and ASIC design.

Applications should consist of a letter of intent, a curriculum vitae, a list of publications, a statement of teaching and research interests, and three letters of reference. Review of applications will continue until positions are filled.

This advertisement is simultaneously directed to Canadian citizens and permanent residents of Canada and to non-Canadians. All qualified candidates are encouraged to apply; however, Canadians and permanent residents will be given priority. Concordia University is committed to Employment Equity and encourages applications from women, aboriginal peoples, visible minorities and disabled persons.

Please forward all applications and/or general inquiries to:

Office of the Dean
Faculty of Engineering and Computer Science
1455 de Maisonneuve Blvd. West
LB-1001
Montreal, Quebec, Canada H3G 1M8
Tel: (514) 848-3109 Email: dean@encc.concordia.ca

Further information available on our Website: www.encc.concordia.ca



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Western



St. Joseph's



London

The University of Western Ontario Chair, Division of Gastroenterology

The Department of Medicine at The University of Western Ontario is seeking a Chair for the Division of Gastroenterology. We are searching for a senior academic physician, eligible for licensure in Ontario, with strong leadership skills and proven administrative experience. The Division Chair also functions as the Chief of Gastroenterology at London Health Sciences Centre (Victoria and University Campus) and St. Joseph's Health Care London.

The position is at the rank of Associate Professor or Professor. Major responsibilities include the leadership of a 13-member division of gastroenterology, organization and supervision of the division's activities in undergraduate education, the postgraduate training program in gastroenterology, and the coordination and organization of research programs.

The Division of Gastroenterology provides secondary and tertiary clinical services to London and South Western Ontario. Division members provide specialized services in gastrointestinal motility studies, interventional endoscopy, liver transplantation, care of patients with IBD, and hemochromatosis. Research interests in the division include: smooth muscle physiology, the epidemiology and genetics of hemochromatosis, clinical trials in IBD, and cost-effective studies of gastrointestinal interventions.

The successful candidate must have certification from the Royal College of Physicians and Surgeons of Canada in Internal Medicine and must be eligible for licensure in the Province of Ontario. Details about the Faculty of Medicine and Dentistry can be found at www.uwo.ca; London Health Sciences Centre at www.lhsc.on.ca and St. Joseph's Health Care London at www.sjhc.london.ca.

London is located in South Western Ontario. It is a community of 350,000 people and offers the cultural amenities of a larger city while still retaining the advantages of living in a smaller community.

Letters of application or nomination with a curriculum vitae and names of three referees should be directed by April 30, 2002, to:

Dr. David Hollenby
Chair, Department of Medicine
The University of Western Ontario
London Health Sciences Centre - University Campus
P.O. Box 5339, London, ON N6A 5A5

Positions are subject to budget approval. All qualified candidates are encouraged to apply; however, Canadian citizens and permanent residents will be given priority. The University is committed to employment equity and welcomes applications from all qualified women and men, including visible minorities, aboriginal people and persons with disabilities.

There will be some administrative responsibilities. Scholarly activities, such as professional development and participation in research, are also expected. All qualified candidates are encouraged to apply; however, Canadians and permanent residents will be given priority. The University of Western Ontario is an equal opportunity employer.

The UNIVERSITY OF ALBERTA — The Department of Computer Science and Electrical & Computer Engineering is a part of the research program that is being conducted under the Oil Sands Research Group, we are seeking a candidate for the position of research associate. The candidate should have a high degree of analytical and numerical skills. The candidate must have a high degree of analytical and numerical skills. The candidate should have demonstrated research independence with minimum supervision and have published in prestigious journals.

The position is for a one-year term, starting in August 2002. All qualified candidates are encouraged to apply; however, Canadians and permanent residents will be given priority. Suitable Canadian citizens or permanent residents cannot be found, other individuals will be considered. Interested candidates should apply by April 30, 2002, directly to Professor Jacob Mankoff, Department of Computer Science and Materials Engineering, University of Alberta, Edmonton Alberta T6G 2Z3, Canada. Applications should be submitted in a single PDF file to jacob.mankoff@ualberta.ca. Candidates should attach a brief statement of research interests, an outline of research interests, and the names, addresses and phone numbers of three referees to Dr. John D. Jones, Director, School of Engineering, Simon Fraser University, 8888 University Drive, Burnaby, B.C. V5A 1S6 Canada, e-mail: jones@sfu.ca

As well, he/she will be eligible for fellowship in the B.C. Advanced Systems Institute, which carries significant research funding. The School of Engineering has 22 faculty members, with a flourishing graduate program of 75 full time and 65 part time students. Admission to the graduate program is competitive and among the highest in Canada. Simon Fraser University scores about 18,000 students while the School of Engineering Science has 365 students in its undergraduate program. The university has been rated first in the last five years in a national ranking of Canadian universities carried out by Maclean's magazine. The university is located on top of Burnaby Mountain in Greater Vancouver and commands magnificent views of the city and the mountains.

The candidate should have demonstrated research independence with minimum supervision and have published in prestigious journals. The position is for a one-year term, starting in August 2002. All qualified candidates are encouraged to apply; however, Canadians and permanent residents will be given priority. Suitable Canadian citizens or permanent residents cannot be found, other individuals will be considered. Interested candidates should apply by April 30, 2002, directly to Professor Jacob Mankoff, Department of Computer Science and Materials Engineering, University of Alberta, Edmonton Alberta T6G 2Z3, Canada. Applications should be submitted in a single PDF file to jacob.mankoff@ualberta.ca. Candidates should attach a brief statement of research interests, an outline of research interests, and the names, addresses and phone numbers of three referees to Dr. John D. Jones, Director, School of Engineering, Simon Fraser University, 8888 University Drive, Burnaby, B.C. V5A 1S6 Canada, e-mail: jones@sfu.ca

FILM & VIDEO

YORK UNIVERSITY — The Department of Film and Media Arts invites applications for a full-time tenure-track position at the level of assistant professor in Production, effective July 1, 2002.

The Department offers an Honours B.F.A., an Honours B.A., and an M.F.A. with specializations in production, editing, directing, cinematography, and theoretical studies. Responsibilities of the position will include the teaching of a full range of undergraduate and graduate courses embracing both the technical and creative aspects of film and video production, with particular emphasis on post-production including editing, sound, and visual effects, and the advising of students at both the undergraduate and graduate levels. A particular responsibility involves the supervision of graduate production theses. The successful candidate will also be expected to maintain an active research program and scholarly goals in their Department. Additional responsibilities will include serving on Department, Faculty and University committees, administrative assignments and curriculum assignments. Applicants for the position must hold a postgraduate degree in a relevant discipline or equivalent demonstrated excellence, with at least five years professional experience as a film or video maker, is essential, as is teaching experience in a post-secondary film and video program. An ability to contribute to the teaching of courses in screenwriting and/or historical, critical and theoretical studies would be an asset. Salary is commensurate with experience and qualifications. The deadline for

McGill

McGill is one of Canada's oldest and most prestigious institutions of higher learning with some 30,000 full-time and part-time students, over 1,300 tenure-track professors as well as an important cadre of administrative and support staff.

Head, Health Sciences & Osler Libraries

The McGill University Libraries invite applications for the position of Head, Health Sciences & Osler Libraries. Reporting to the Director of Libraries, the incumbent is responsible for the management and overall coordination of the operations of the Health Sciences & Osler Libraries, sits as an ex-officio member of the Health Sciences Library Advisory Committee and the Osler Library Board of Curators, and plays a vital role within the Senior Management Group of the McGill University Libraries which is responsible for the advancement of the 14 libraries in the McGill Library System.

Founded in 1823, the McGill Health Sciences Library, the oldest medical library in Canada, employs state-of-the-art library technology, and serves a research intensive medical school. Primary users of the Library are located in the Faculty of Medicine, the Faculty of Dentistry, the School of Nursing, the School of Human Communication Disorders, the School of Dietetics and Human Nutrition and the School of Physical and Occupational Therapy. The Library collaborates extensively with the member libraries of the McGill Affiliated Health Sciences Library Consortium and participates in national and international health library initiatives. The Osler Library of the History of Medicine is a world renowned collection of primary and current research material in the history of medicine and related subjects. The Health Sciences & Osler Libraries contain an extensive print collection of over 300,000 volumes and receive over 1,300 current print journal subscriptions. The print collections are enhanced with access to numerous electronic resources, including over 2,000 online journal subscriptions. The staff consists of 7 librarians, 17 administrative and support staff, as well as a number of student assistants.

As Head of the Health Sciences & Osler Libraries, the successful candidate will be responsible for the management of library collections and services, the overall administration of the library's budget, and the organization and development of library staff. The incumbent also will be responsible for the coordination and integration of library support for programs in the Faculties of Medicine and Dentistry. Dedication to equity in employment

www.mcgill.ca

improving library resources and services to faculty, researchers and students is a key requirement for this position as is a willingness to work closely with different user communities in designing and implementing library policies.

Minimum qualifications are a graduate degree in library and information studies from an ALA-accredited institution or its equivalent and significant experience in health related sciences. An advanced degree in medical informatics or similar field, or MBA, will be considered an asset. Highly desirable are strong leadership abilities and proven administrative skills in planning, organizing and directing library staff and services in a community of learning, the ability to work with all personnel in a collaborative collegial environment; excellent written and oral communication skills, strong interpersonal, analytic and problem solving skills, a broad knowledge of electronic information systems; the ability to evaluate and implement new approaches in a rapidly changing library environment, to represent and promote the library effectively within the University and externally, and to understand health sciences research and scholarship. Working knowledge of French is required and fluency will be considered an asset.

The initial appointment for a five year period is renewable. Both appointment and renewal require the approval of the Dean of Medicine and/or the Director of Libraries. Salary plus benefits are highly competitive. The position also carries an administrative stipend.

Applications along with a curriculum vitae and the names and addresses of three referees should be submitted to: **Frances Green, Director of Libraries, McGill University Libraries, 3459 McTavish Street, Montreal, Quebec, Canada H3A 1Y1**, by e-mail: frances.green@mcgill.ca by facsimile 514-398-3561.

Consideration of applications will begin in April and continue until the position is filled.

In accordance with Canadian immigration requirements, this advertisement is directed in the first instance to Canadian citizens and permanent residents. McGill University is committed to equity in employment.



Western

The University of Western Ontario

Lecturer or Assistant Professor Bachelor of Administrative & Commercial Studies Program

The Bachelor of Administrative and Commercial Studies (BACS) Program, Faculty of Social Science, is one of the largest and fastest growing undergraduate academic programs at The University of Western Ontario with over 1700 students. The only program of its kind at a Canadian university, the interdisciplinary BACS program offers four distinct areas of study: Finance and Administration; Organizational and Human Resources; Finance, Administration and Computer Science; and Commercial Aviation Management (CAM).

The Bachelor of Administrative and Commercial Studies Program invites applications for a full-time, limited-term appointment (up to five years) at the rank of Lecturer, or Assistant Professor (PhD required), in each of the following areas:

1. Accounting
2. Commercial Aviation Management
3. Marketing

Candidates must demonstrate a strong commitment to teaching at the undergraduate level. Preference will be given to candidates with a PhD in a relevant field, although consideration will be given to candidates possessing a Master's degree and who have a strong record of undergraduate teaching and related work experience.

Candidates for the position in Accounting must possess a recognized accounting designation (CA, CMA, or CGA). Ability to teach in more than one of the BACS program's core areas (Accounting, Operations Management, Marketing, Finance, Strategic Management, Human Resources Management) is also desirable.

The successful candidate for the Commercial Aviation Management position will be expected to teach courses in Airport Planning and Management, Airline Operations and Management, and possibly either Aviation Law or Human Factors in Aviation. Since the successful candidate will also supervise the "Integrated Commercial Pilot's Licence" flight training component of the CAM program, a current Commercial Pilot's Licence is also desirable.

Rank and salary will be commensurate with previous performance, qualifications and experience in accordance with the Collective Agreement. The starting date is July 1, 2002.

A curriculum vitae (including the names of three references), and evidence of teaching proficiency should be forwarded to:

Professor Keith Fleming, Director
Bachelor of Administrative and Commercial Studies Program
Room 2040 Social Science Centre
The University of Western Ontario
London, Ontario, N6A 5C2

The deadline for receipt of applications is May 10, 2002.

These positions are subject to budgetary approval. The University of Western Ontario is committed to employment equity, welcomes diversity in the workplace, and encourages applications from all qualified women and men, including members of visible minorities, aboriginal persons, and persons with disabilities. All qualified candidates are encouraged to apply; however, Canadians and permanent residents will be given priority.



UNIVERSITY OF
CALGARY

WESTAIM/NSERC INDUSTRIAL RESEARCH CHAIR – BIOFILMS ENGINEERING

The University of Calgary is seeking a distinguished scholar from academia or industry, with an international reputation, to fill the Westaim/NSERC Industrial Research Chair. The Chair is supported by Westaim Corporation with matching funds anticipated from the Natural Sciences and Engineering Research Council of Canada (NSERC). The Chair will have established expertise in interface mechanics and engineering boundary layers; turbulent flow; surface phenomena; and will work in collaboration with the existing biofilms and bioengineering researchers in the Faculties of Medicine, Science and Engineering to advance the field of biofilms in all relevant applications. Prior experience with biofilms is not necessary, but PEng status or eligibility for PEng status is essential. The candidate must have a PhD in Engineering or Science.

The candidate will hold a tenured or tenure-track position in the Department of Mechanical and Manufacturing Engineering and can be cross-appointed in other departments in the Faculties of Engineering, Science and Medicine. The chair is expected to develop graduate courses in his/her area of expertise and teach in the undergrad programme. Rank and salary will be commensurate with the qualifications and experience. Recruitment will begin on **May 1, 2002**. This position will commence on July 1, 2002, or a mutually agreed upon date. The selected candidate will be engaged in the completion of an application for a NSERC Industrial Research Chair grant to match the industrial support.

The Department of Mechanical and Manufacturing Engineering currently has 28 full-time faculty, 18 support staff and state-of-the-art research and educational facilities. It offers BSc, MSc, MEng, and PhD degrees in both Mechanical and Manufacturing Engineering, and has over 450 undergraduate students and over 90 graduate students. The Department is committed to excellence in research and education. Innovative research programs are well-established in Advanced Manufacturing and Design; Applied Mechanics; Biomechanics; Energy and Thermo-fluids; Materials; Mechatronics; MEMS; Robotics and Controls. Detailed information is available on our Web site at www.eng.ucalgary.ca/mechanical.

The University of Calgary is a public institution with a full-time student population of over 25,000. The City of Calgary has a population of over 850,000 and is the Canadian capital of the energy industry. Calgary, home to the 1988 Winter Olympic Games, is one of the fastest growing high-tech cities in Canada. It is situated within an hour's drive of Banff National Park, one of the most beautiful areas of the Rocky Mountains.

Applicants are invited to send their curriculum vitae and a list of three names of references to: **Dr. P. Gu**, Professor and Head, Department of Mechanical and Manufacturing Engineering, at the address below; Phone: (403) 220-7163; Fax: (403) 282-8406; E-mail: pgu@ucalgary.ca

Applications will be accepted until the position is filled.

SVARE UNIVERSITY CHAIR – HEALTH ECONOMICS

The Faculties of Medicine and Social Sciences invite applications for the joint appointment in Health Economics sponsored as the University Chair under the Svare endowment. Alberta is a leader in health care reform and is aiming to develop a sustainable patient-oriented system. Decisions will be based on evidence of outcomes and economic assessment is central to determining the best combination of cost, quality, and patient satisfaction. The University of Calgary has developed a high profile in health economics with established research strengths in economics, community health sciences, pharmacology, and clinical trials. The Svare Chair, with significant infrastructure funding, is supported by junior appointments.

Important opportunities for leverage are open to the Chair through collaboration with the Institute of Health Economics and funding programs of the Alberta Heritage Foundation for Medical Research.

An outstanding scholar is sought to provide leadership in two Faculties through research and teaching. Examples of potential areas of collaborative research include pharmaco-economics, health care assessment techniques, alternative approaches to the delivery of health services, health care planning for demographic change, and measures of health.

Interested individuals should submit their curriculum vitae, a statement of research interests and names and addresses of three references, to: **Dr. P. Sokol**, Associate Vice-President (Research), at the address below; E-mail: psokol@ucalgary.ca; Fax: (403) 289-8926.

The deadline for applications is **May 1, 2002**.

SOCIAL WORK

The Faculty of Social Work offers social work degrees at the undergraduate, graduate, and doctoral levels. As well, the Faculty has three Divisions—Access, Lethbridge, and Edmonton—which deliver the undergraduate program throughout the province of Alberta. Unique in Canada, the Faculty's Access Division delivers the undergraduate program to nine rural, remote, and Aboriginal communities in the province.

The Faculty invites applications for academic positions at the assistant and associate professor ranks. These tenure track positions would involve teaching across the Divisions. The successful candidate could reside in Edmonton and teach mainly in Edmonton and Access Divisions in the northern part of the province, in Lethbridge, teaching mainly in Lethbridge and Access Divisions in southern Alberta, or in Calgary, teaching across Access sites as well as on the main campus. The decision as to residence will depend on Faculty needs and travel to various sites for evening and weekend delivery is an expectation.

In accordance with Canadian immigration requirements, all qualified candidates are encouraged to apply. However, Canadians citizens and permanent residents of Canada will be given priority.

University of Calgary, 2500 University Dr. N.W., Calgary, AB, Canada T2N 1N4

The University of Calgary respects, appreciates and encourages diversity.

To see all our academic career opportunities, please visit www.ucalgary.ca/HRCareer

Candidates for the two assistant professor vacancies must possess a doctorate (or near completion), at least one degree in social work, refereed scholarly publications, direct social work practice experience, and preferably post-secondary teaching experience. Candidates for the associate professor position must possess a PhD, at least one degree in social work, a solid record of research and scholarship, post-secondary teaching experience, and direct social work practice experience.

In addition to knowledge and experience of generalist social work practice, we are searching for candidates with expertise related to: curriculum development to ensure cultural and geographic relevance to communities outside urban areas; course content sensitive to First Nations and Métis peoples; generalist practice models and perspectives; community development knowledge and experience; and knowledge of a range of research methods including the ability to teach research content in inquiry-based courses. Experience in distance and technology-mediated teaching and learning is an asset.

The Faculty of Social Work supports a spirit of enquiry from multiple perspectives, and critical reflection when generating and applying knowledge to the professional, teaching, scholarship, and practice of social and individual change. The University of Calgary is a young, dynamic, comprehensive research university.

Rank and salary for this position will coincide with qualifications.

The Faculty is committed to increasing cultural, ethnic, and gender diversity in its complement of academic staff and therefore encourages applications that would support this commitment.

The competition will remain open until qualified applicants have been chosen; consideration of candidates will, however, commence after **April 30, 2002**, with appointment dates to coincide with the beginning of either the academic Fall or Winter Sessions.

Please send a letter of application, a curriculum vitae, and the names and addresses of three referees to: **Dr. Gayla Rogers**, Dean, Faculty of Social Work, at the address below; Phone: (403) 220-5945; Fax: (403) 284-1391.

GEOSPATIAL INFORMATION TECHNOLOGY (GEO-IT)

The University of Calgary, Department of Geomatics Engineering, invites applications for the position of assistant professor in Geospatial Information Technology effective September 1, 2002. Applicants should have a PhD in engineering or applied science.

The position is expected to integrate Information technologies with related disciplines of geomatics engineering, especially geospatial information systems, and spatial location technologies. Demonstrated expertise in several of the following areas is required: database technology, object-oriented system and software design, automated analytical cartography, map generalization, and spatial computation algorithms, and their applications. The successful applicant will conduct both teaching and research in geomatics engineering. The applicant is expected to develop a strong research program and should be capable of attracting external funding for these research activities and graduate student support. The selected candidate must also have the capability and the flexibility to teach undergraduate fundamental engineering courses. The successful applicant will be encouraged to register as a Professional Engineer in the Province of Alberta.

The Department of Geomatics Engineering is actively involved in all aspects of geomatics engineering and comprises 14 faculty members, 60 graduate students and 40 to 50 students in each year of the undergraduate program. State-of-the-art geomatics engineering equipment and computer facilities are available. Related information can be found at <http://www.geomatics.ucalgary.ca>

The University of Calgary is a co-educational, non-denominational, government supported institution with a student population of over 25,000. The City of Calgary itself has a population of over 850,000 and is situated within an hour's drive of Banff National Park, one of the most beautiful parts of the Rocky Mountains.

Applications should include a detailed curriculum vitae and a complete list of publications. Three letters of reference should be mailed directly to: **Head, Department of Geomatics Engineering**, at the address below; E-mail: marguerite@geomatics.ucalgary.ca. Closing date: **May 31, 2002**.

HISTORY

The University of Calgary, Department of History, invites applications for a limited term (July 1st 2002 – June 30 2004) position to teach Medieval Europe. The position will be at the assistant professor level.

The successful candidate will have a PhD or be near completion, and will be required to teach undergraduate lecture courses in Early Medieval Europe 410-1076; High and Late Medieval Europe 1076-1418; and Renaissance Europe 1350-1550. The successful candidate will also teach a senior undergraduate seminar course in Medieval Europe.

Applicants should submit a curriculum vitae, three letters of reference, and evidence of excellence in teaching. The deadline for applications is **April 30, 2002**. Applications should be sent to: **Dr. David Marshall**, Head, Department of History, at the address below.

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COUNTING OUT THE SCHOLARS

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BY WILLIAM BRUNEAU
& DONALD C. SAVAGE

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Public Universities Under Attack in Colombia

By DIETER MISGELD

In his world-famous novel *A Hundred Years of Solitude*, Colombian writer Gabriel García Márquez describes a terrible massacre. It occurred in 1928. The massacre put an end to a successful, and famous, strike by the banana workers in Ciénaga Magdalena (Central Colombia) — a strike that constituted the first fully organized act of resistance by a population of workers and their families treated with total disregard by a foreign fruit company, and with total disregard for their needs.

In Márquez's description, based on historical records, the massacre was committed by the Colombian army, in collaboration with the civilian authorities, and with the indulgence of the Catholic Church. The representative of the U.S.-owned company — an American citizen — had initiated this process of breaking the workers' resistance.

Three thousand workers and members of their families were murdered in the massacre, testifies one of the protagonists in the novel.

A total cover-up followed and Márquez concludes: "In that way they were finally able to wipe out the union leaders."

Unfortunately, Colombia has not changed to this day. In late December 2001, it was reported that 152 trade union leaders had been assassinated in the previous year alone, along with more than 1,000 peasant leaders. They included representatives of teachers' unions and academics. Between 1987 and 1999, approximately 2,500 unionists and leaders of workers' organizations were assassinated.

This information has been provided by ASPU (Asociación Sindical de Profesores Universitarios), the union representing academics working in public universities. These notes are contained in documents distributed by the National Congress of University Professors in October 2001, which has as its theme the strengthening and defence of the beleaguered public universities.

The terrible situation was highlighted for me when a young faculty member from a university now struck by a wave of death-threats asked me to help him and his colleagues achieve greater security, or to escape from the country. Participating in a symposium in Bogotá in early December last year on "Human Rights and the University," I realized this was a theme particularly affecting the public universities.

PUBLIC UNIVERSITIES are under attack because their academics and staffs have formed unions. And unions are everywhere under attack in Colombia. Unions are regarded as supporters of the guerrilla insurgency by the organizers of the paramilitary death-squads, groups linked to the army and to sections of the state security apparatus, as well as to wealthy landowners and the most powerful bosses of the cocaine trade.

Public universities are under attack because they provide a location for independent and critical research — research critical of the militarization of the country, of its neoliberal extremism, and of the infinite hypocrisy of referring to the guerrillas as terrorists, when paramilitary and military death-squads are responsible for at least 83 per cent of all human rights violations (according to ASPU). The violations include large-scale massacres and mass expulsions, assassinations, kidnapping, torture, forcing many individuals and families into exile, and making death threats a matter of daily routine.

Here we may want to take note of one case in particular — the assassination of Dr. Eduardo Umana Mendoza, a noted legal scholar and teacher at the National University in Bogotá, the country's largest and foremost public university. Umana was assassinated in 1998, as he left the auditorium where he lectured. I was told he had the habit of greeting his audience in the following way: "Welcome, all of you interested in human rights and constitutional law. A welcome also to the members of military intelligence here present."

Umana was also Colombia's most prominent human rights lawyer. It may not come as a surprise that a number of younger or beginning lawyers and legal scholars working with him had to leave Colombia after his death.

Eduardo Umana Luna, his father, is perhaps Colombia's best known legal scholar, a former dean of law at the National University. These two names stand out in the struggle for academic freedom and for critical and humane intelligence that demands a university free of rampant commercialism and engaged with a national history and a national vocation. As a public university, the Universidad Nacional in Bogotá still plays this role, despite the fact it has not been allowed to hire new full-time faculty for 10 years and is starved for funds all-around.

Its active role in maintaining critical awareness of Colombia's actual situation and the history which has produced it, is also manifested in a kind of running commentary scripted on the whitewashed walls of university buildings.

There is a veritable culture of graffiti here with often quite artistic works on display. And, although it covers large stretches of wall in highly visible areas, and sometimes can even be found on the inside of buildings, it is accepted and included in university life like an unofficial yet widely recognized part of the curriculum. The force of this written commentary is revealed when one learns the central square on campus is called "Plaza Che Guevara" and one notices an elaborate painting of the famous revolutionary above the entrance to the central auditorium.

Opposite this entrance, above the one leading to the university library, is a painting of Camilo Torres, the revolutionary priest who joined the guerrilla forces in the 1960s and fell very quickly in his first encounter with armed combat. Torres was the founder of the first sociology department in Colombia, and a galvanizing presence on the campus of Colombia's most important public university. He was one who combined academic effort with social and political activism.

It is striking how this display of students' artistic skill, political insight and determination is tolerated by university authorities, but it is an important tradition and legacy of the university. The mission of any "national" public university, wherever it exists, is to demand society and its leading and most powerful groups not become indifferent to the well-being of the majority of their populations, and to help design programs and interventions which can make a real difference.

MOST OF THE STUDENTS at the National University in Bogotá do not have the resources to attend the two or three outstanding but exclusive private universities that also exist. Many among them may not want to. As elsewhere in Latin America, for example in Mexico, these students claim the right to the education that the Constitution of Colombia guarantees them. That is why there still exists a network of public universities in Colombia, some functioning quite well academically on a national level and having a significant impact locally. One such school is the Universidad del Valle in Cali, whose history and philosophy departments impressed me. Others are terribly beleaguered and being demoralized by death-squad threats and actual killings, for example Medellín and Universidad Atlántico.

When one looks at the larger context, three factors stand out:

Firstly, Colombia is one of the countries in the Americas which has been most ruthless in the execution of neoliberal policies on a continent where this is common practice.

These policies condemn more than half of the country's population to living in poverty. In a document published in October 2001, ASPU states that 23 million of Colombia's 40 million inhabitants cannot satisfy their basic needs and 7.5 million live in conditions of extreme poverty. Average per person income has fallen from \$2,716 U.S. in 1997 to \$1,986 U.S. in 2000. Since new legislation affecting them was passed in 1993, social security and publicly funded health care have deteriorated rapidly.

Secondly, the country is in a state of civil war. The roots of this war lie in a series of efforts to inaugurate land reform, a matter of great contention in several Latin American countries. One merely needs to remember the Mexican Revolution early in the twentieth century and today's Zapatista indigenous uprising in southern Mexico.

The land reform efforts were aborted by politically initiated violence which resulted in the formation of several guerrilla groups resisting violence, largely initiated by wealthy landowners and an entrenched oligarchy.

Ultimately, Latin America's oldest, largest and toughest guerrilla force — the FARC-EP or Revolutionary Armed Forces of Colombia — was organized in these conflicts. The war against it and a younger, but also important, guerrilla force, the ELN, has led to the formation of a huge army.

Today, military expenditures outstrip every other item in the federal budget with the exception of repayment of debt to international lending agencies. Since the early 1980s a "dirty war" has been carried out, a phenomenon better known from the military dictatorships of the southern cone (Argentina, Chile, Uruguay, Brazil) of Latin America.

This war consists of the regular terrorization of civilian populations, especially in the countryside, largely for the sake of eroding support for the guerrillas and stifling all forms of social protest. This terror by massacres and mass expulsions has led to the highest internal displacement rate in the world after the Sudan, reaching a level of close to two million people displaced from their homes and lands, many now living miserably on the edges of cities.

Thirdly, Colombia is recipient to the second highest level of U.S. military aid in the world, after Israel. This form of assistance initially set aside for the "war on drugs" (the official justification) is connected with the so-called "Plan Colombia." The president of Colombia initially took to Washington a "Plan for Peace, Prosperity and the Strengthening of the State."

But as the U.S. government successfully connected the hostilities in Colombia with their own campaign against drug use at home, support for Plan Colombia was granted and quickly became, in 2000, not merely a plan to form and train anti-narcotics battalions, or to fumigate and spray with herbicide areas in the countryside where the cocoa leaf and opium poppies are grown, but rather a plan to support Colombian army operations in southern Colombia, the stronghold of the FARC.

On Feb. 5, 2002, Amnesty International, Human Rights Watch and the Washington Office on Latin America insisted, in the strongest terms possible, that Washington refrain from delivering the next financial instalment of Plan Colombia since the Colombian government has not complied with even one of the conditions regarding human rights imposed by the U.S. Congress regarding the provision of financial assistance under the plan.

These three points turn up with great regularity in much academic, journalistic and political writing about Colombia — the situation of the universities cannot be separated from them. In particular, the pressure exerted on the public universities, on their associations and their teachers unions, and the effort to take them over and to terrorize alleged "guerrilla supporters," cannot be explained without taking note of a plan pursued by powerful groups in the country, to create a "society without opposition."

This is not surprising as similar plans are underway for all of Latin America. The three conditions I mention mean that resistance to neoliberal policies, the defence of marginalized groups — such as the indigenous and Afro-Pacific and Afro-Caribbean communities and others — the concern for the displaced, the defence of human rights which does not shy away from, for example, mentioning connections between the paramilitary death squads and the military, accurate journalism, criticism of Plan Colombia and of the operations of transnational corporations in Colombia, are all treated as dangerous to the interest of the state and of the ruling elite, and as linkable to the guerrillas.

A MENTALITY DEVELOPS which aims to incarcerate society and subject it to an intense form of supervision. Totalitarian practices that we once associated with the existence of the Soviet system become common and the effect in intellectual and academic life is the growth of censorship and self-censorship, a phenomenon known from all forms of dictatorial rule.

Colombia is very complex, because practices of surveillance and of intimidation by terror, of ownership concentration (of the media, of land, of large enterprises) and of the relentless erosion of social support provided by the state, as well as the growing importance of the military, police and intelligence services, can all occur while maintaining a quasi-democratic political system with regular presidential and congressional elections.

This appearance has been effectively maintained and the two largest and established political parties can engage in vociferous and costly election campaigns, while the judiciary is dysfunctional and impudent with respect to human rights violations is close to total. Street crime grows exponentially, outstripping political assassinations and kidnappings. And this is not even to mention the corrosive effects of the drug trade.

Researchers and students working in the public universities can still enjoy some, albeit very limited, security when addressing these issues. When I gave various lectures at the National University in late November, I had the opportunity to listen to well-known and forceful opposition voices brought to the gathering by colleagues. We engaged in a frank discussion of the issues, including the situation of the peace negotiations between the government and the insurgency.

Other, often superb, researchers work with institutes financed as NGOs or they work as consultants and advisors with organizations and institutions. Two of the best-known researchers working in this manner leave the country quite regularly for months or a year or more at a time. But they do not enjoy the regular contact and exchange which their colleagues have access to in the public universities, nor a regular relationship with political and social organizations available to these colleagues.